

# Fight Planned For Spy Benefit At Park Tavern

Backers of an "appeal for freedom" dinner to help convicted A-Bomb spy Morton Sobell, planned court action today to enforce their right to eat—at the city-owned Tavern-on-the-Green.

The move followed abrupt cancellation over the weekend of reservations by "The Committee to Secure Justice for Morton Sobell" for a 700-place, \$10-a-plate fund raising dinner next Monday.

The Sobell committee called the action "breach of contract," and "deplored" the cancellation as a "violation of the principles of free speech."

## SERVING 30 YEARS

Sobell was convicted in 1951 with Julius and Ethel Rosenberg of conspiring to spy for the Soviet Union. He is serving a 30-year sentence in Atlanta Federal Penitentiary. The Rosenbergs were executed.

Julius Berman, secretary and treasurer of the Tavern concessionaires said the cancellation followed "telephone bombardments by scores of protesters . . . following publication last Thursday of the dinner plans."

"One man threatened to bring 200 pickets. Many other customers canceled their reservations for that night," Berman said.

Final decision on the matter, however, followed receipt of a letter from Parks Commr. Robert Moses to Arthur Schleizer, president of the Tavern-on-the-Green, Berman said.

Moses' letter conceded that the Parks Dept. was in no position to order cancellation. "But we recommend that you do," the letter added.

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DATE 4-15-58

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P. S. L. K. 1958

The New York Civil Liberties Union today scored as "misguided" the persons who helped force cancellation of a dinner by the Committee to Secure Justice for Morton Sobell. The Tavern on the Green, a privately owned restaurant operating as a concession in Central Park, yesterday backed out of its contract to serve the dinner. The cancellation had been recommended by Parks Commissioner Moses.

Moses recommended that the Sobell committee hold its rally in Union Sq.

"It is unfortunate that some groups and individuals assume the right to suppress the expression of any opinion with which they do not agree," said George E. Rundquist, executive director of the New York Civil Liberties Union.

"In this case they have apparently decided that the Sobell committee should not be entitled to the constitutional liberties of freedom of assembly and speech, which they claim for themselves, lest it 'subvert' the community.

"Certainly a meeting purely for

peaceful protest should never be viewed as a subversive activity. If any subversion exists in New York City, we have proper agencies for dealing with it without the help of misguided amateurs.

"Although the Tavern on the Green is leased to a private operator, it is owned by the city. We trust that the proper city authorities will acknowledge their responsibility to support the right of this group to meet without interference."

Theodore Jacobs, a spokesman for the committee, said his group was seeking clemency for Sobel.

who was convicted with Julius and Ethel Rosenberg as an atom spy. The Rosenbergs were executed. Sobell is serving a 30-year term in the federal penitentiary in Atlanta, Ga.

Jacobs said that he assumed the city would not permit the Tavern on the Green to cancel its contract. But if the assumption was wrong, he said, the committee is "considering legal action."

As for the restaurant, Julius Berman, its treasurer, said:

"We would rather have a lawsuit than have the public against us."

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N. Y. Post

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## Cancel Dinner For Spy Sobell

The Tavern on the Green yesterday canceled a dinner scheduled for next Monday by the Committee to Secure Justice for Morton Sobell, who is serving 30 years for conspiracy to commit espionage with executed Russian spies Julius and Ethel Rosenberg.

The reason given for the cancellation was "public pressure." A spokesman for Julius Berman, tavern president, said that some 30 calls had been received protesting the use of the tavern by the Sobell committee. He added that Park Commissioner Moses had suggested that the tavern cancel the dinner.

The tavern restaurant, at 67th St. and Central Park West, is a concession operated under Park Department regulations.

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## Cancel Sobell Dinner At Moses' Urging

The Tavern on the Green, at the suggestion of Park Commissioner Robert E. Moses, has cancelled as "too controversial" a dinner scheduled for April 21 by the "Committee to Secure Justice for Morton Sobell," convicted atom spy.

The restaurant, at 67th St. and Central Park West, operates on a concession basis under Park Department rules.

"WHILE WE cannot order you to cancel the affair," Moses wrote the Tavern management, "we recommend that you do so. This dinner meeting is in effect

an attack on our courts and system of justice and will be offensive to many citizens.

"An outdoor meeting," he added, "sponsored by this committee at one of our designated forum areas, such as Union Square, will of course be permitted under the heading of free speech."

A spokesman for the Sobell Committee said it had already sold 450 tickets for the dinner and would probably start legal action against the Tavern today for breach of contract, because of the cancellation.

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## Tavern-on-Green Bars Sobell Backers' Dinner

The Tavern-on-the-Green in Central Park canceled an "Appeal for Freedom" dinner to help Morton Sobell, convicted spy, it announced yesterday.

Parks Commissioner Robert Moses suggested that the Committee to Secure Justice for Morton Sobell use instead of the tavern "one of our designated forum areas, such as Union Square," to hold a rally.

Julius Berman, treasurer of the tavern, said "We were bombarded with phone calls" protesting the use of the tavern facilities for the April 21 dinner.

### Moses Urged Step

The tavern's action was supported by Mr. Moses, who wrote the tavern, in part:

"While we cannot order you to cancel the affair, we recommend that you do so. This dinner meeting is in effect an attack on our courts and system of justice and will be offensive to many citizens. . . ."

The committee immediately announced that it is "going on the assumption that the city is not going to permit the tavern's illegal action such as this to stand." But if the "assumption" is wrong, it is "considering legal action."

Sobell was convicted in 1951 on charges of conspiring with Julius and Ethel Rosenberg to give United States atomic secrets to Russia. The couple was executed; Sobell is serving a thirty-year term in the Federal penitentiary in Atlanta, Ga.

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Herald Tribune  
Late City  
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#### Contract Signed

The committee said it first contacted the tavern management and received a "verbal O.K." for the dinner on Feb. 19.

On March 7, it received a signed contract from the tavern, which is operated as a private corporation having a concession in Central Park granted under Park Department regulations.

Last Thursday a newspaper article was published about the dinner and shortly thereafter the tavern management requested that the committee cancel its dinner. Theodore Jacobs, the committee public relations director, said.

On Sunday, the committee received at its office at 940 Madison Ave. a telegram canceling the dinner.

A spokesman for the tavern said it was "too controversial" and that "public and private pressure" demanded that the dinner be canceled. He admitted

that before the tavern signed the contract it checked with the Park Department and "found that the committee was not on the Attorney General's subversive list."

Mr. Berman said, "We would rather have a lawsuit than have the public against us." He said he asked the Parks Department for permission to cancel the dinner, and was told that the matter was up to the tavern management.

But yesterday he received this letter from Mr. Moses:

"A dinner sponsored by the Committee to Secure Justice for Morton Sobell is scheduled for April 21 at the Tavern-on-the-Green. While we cannot order you to cancel the affair, we recommend that you do so. This dinner meeting is in effect an attack on our courts and system of justice and will be offensive to many citizens, and is not, in our opinion, a proper use of the facilities of the Tavern-on-the-Green. An outdoor meeting sponsored by this committee at one of our designated forum areas, such as Union Square, will, of course, be permitted under the heading of free speech. But the tavern is no place for rallies of this sort."

## RALLY FOR SOBELL CANCELED IN PARK

Protests Against Fund Plea  
Cited by Tavern on Green  
—Moses Opposes Fete

A fund-raising dinner scheduled for next Monday by the Committee to Secure Justice for Morton Sobell was canceled "because of public pressure" yesterday by the Tavern on the Green in Central Park.

Shortly afterward the committee announced that it would take legal action "probably today" against the restaurant for "breach of contract."

Sobell was convicted in 1951 with Julius and Ethel Rosenberg of conspiring to spy for the Soviet Union. He is serving

ing a thirty-year sentence in the Federal Penitentiary in Atlanta.

The Rosenbergs were executed for stealing atomic bomb secrets. Sobell escaped the death penalty because his complicity was not proved equal to that of the Rosenbergs.

Julius Berman, secretary of the restaurant corporation, a privately owned concession, said, "the dinner had been canceled because the concern had been bombarded by thirty-five to forty telephone calls protesting the dinner."

"One man threatened to bring 200 pickets," he said. "Several other customers canceled reservations."

### Moses Sends Letter

Both Mr. Berman and Stuart Constable, executive secretary of the Department of Parks, said the decision had been made by the restaurant alone.

However, a letter from Robert Moses, Commissioner of Parks, recommending the can-

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celebration was delivered to the restaurant yesterday.

In his letter Mr. Moses said: "While we cannot order you to cancel the affair, we recom-

mend that you do so. This dinner meeting is in effect an attack on our courts and system of justice and will be offensive to many citizens, and is in our opinion an improper use of the facilities of the Tavern on the Green."

The letter suggested that an outdoor meeting at "one of our designated forum areas, such as Union Square will, of course, be permitted under the heading of free speech."

Theodore Jacobs, in charge of public relations for the Sobell committee, contended yesterday that the meeting would not have been an attack on the courts but an appeal for clemency. He spoke at the committee's headquarters, 910 Broadway.

The Rev. Peter McCormack,

former Protestant chaplain at Alcatraz, where Sobell was previously imprisoned, was to have been the main speaker, Mr. Jacobs said.

Mr. Berman said the contract was signed last February after the restaurant found the committee was not on the Attorney General's list of subversive organizations.

The New York Civil Liberties Union last night deplored the pressure brought to cancel the dinner.

## Anti-Sobell Drive Assailed by CLU

The Civil Liberties Union here has condemned pressures brought on the Tavern on the Green which forced the restaurant to cancel a controversial dinner scheduled for next Monday by the Committee to Secure Justice for Morton Sobell.

Julius Berman, treasurer of the restaurant, said yesterday he canceled the reservation because of strong adverse public reaction. The tavern, a concession operated under Park Department regulations, also received a letter yesterday from Parks Commissioner Robert Moses. He recommended the cancellation.

In decrying the pressures, the CLU said such a meeting "purely for the purpose of discussion and peaceful protest" should not be viewed as a subversive activity. If any subversion exists in the city, the group said, "we have proper agencies to deal with it without the help of misguided amateurs."

Sobell is serving 30 years for conspiring with atom spies Julius and Ethel Rosenberg.

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*World-Telegram*  
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*7-11-58*  
*W. H. ...*

# Prison Chaplain Quits In Sobell Plea Row

By the Associated Press.

SAN FRANCISCO, April 16.—Paul Madigan, Alcatraz Prison warden, says a prison chaplain who signed a petition on behalf of Morton Sobell, convicted spy, has resigned as requested.

Sobell was convicted in 1953 with Ethel and Julius Rosenberg of stealing A-secrets for Russia. The Rosenbergs were executed. Sobell received a 30-year sentence.

Mr. Madigan said the Rev. Peter McCormack, a retired United Presbyterian minister, was asked to leave last November and that one of the reasons was his signature on a petition seeking freedom for Sobell.

The Supreme Court has refused seven appeals from Sobell.

[A dinner planned in New York April 21 to seek reconsideration for Sobell was called off when Tavern on the Green in Central Park bowed to public pressure and canceled arrangements to be the venue for the dinner-meeting.]

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N. Y. *World Telegram* 7-20

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**Mrs. Sobell Is Denied Plea**  
 Mrs. Rose Sobell, whose son Morton was convicted in 1951 as a member of a Soviet spy conspiracy, was refused an interview with Mayor Wagner at City Hall yesterday. She had sought to get the Mayor to intercede with Park Commissioner Robert Moses to permit a dinner at the Tavern on the Green to raise funds for an appeal for clemency for her son. The dinner was canceled Monday.

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*Times*

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### Snubs Mrs. Sobell

Mayor Wagner yesterday refused to see Mrs. Rose Sobell, mother of convicted atom-bomb Morton Sobell, to discuss cancellation by Park Commissioner Moses of a fund-raising dinner for the traitor at the Tavern on the Green next Monday.

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DATE 4-16-51

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## Mr. Moses Rides Again

Parks Commissioner Moses, accomplished letter writer as well as city planner, has arrogantly over-stepped the proper limits in both fields. As a sort of Minister of Landscapes he apparently believes that his responsibility includes not only what grows in the parks but also what is said in them. So he has written a letter which has in effect banished free speech from large areas of the city's parks.

Some time ago the Committee to Secure Justice for Morton Sobell signed a contract with the Tavern on the Green to hold a dinner at that Central Park restaurant. The purpose of the affair was to protest the 30-year sentence Sobell received for his complicity in the Rosenberg spy case. The merits of the cause are open to debate; some responsible attorneys who believe justice was done in the Rosenberg case question the prosecution's conduct in the Sobell trial.

But all that is beside the point. The restaurant agreed to lease its facilities after cautiously determining that the committee was not on the Attorney General's list.

Moses apparently has his own list of subversive organizations and his own standards of civil rights. He wrote to the Tavern operators, who run the restaurant as a concession from the city, and suggested that they cancel the contract because the dinner was "in effect, an attack on our courts and system of justice and will be offensive to many citizens . . ." The Tavern canceled.

The sole issue here is the right of any group—whether it be dedicated to Morton Sobell, Ezra Pound or any other unpopular character—to hire a hall. Nothing in the laws of Our Town prevents the use of the Tavern on the Green for that purpose. Although Tavern officials say they were swayed by unidentified public opposition, it was clearly the letter from Moses that made them run for cover.

Mayor Wagner has often paid his rhetorical respects to the Bill of Rights. The question now is whether he is prepared to let Bob Moses prewrite the document.

FROM THE

INDUCTION 2 B/2 F.

DATE 2-16-58

PAGE 345

7. Permanence - the ability of a species to maintain its numbers over time.

1. The first group of people who are interested in the study of the history of the United States are the people who are interested in the history of the United States.

1. *Chlorophyll a* (Chl *a*)

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

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## Plea by Mrs. Sobell Is Unheard

Mayor Wagner refused yesterday to see Mrs. Rose Sobell, mother of Morton Sobell, who is serving a thirty-year prison term for spying against the United States.

Mrs. Sobell went to City Hall to ask the Mayor to get Park Commissioner Robert Moses to permit a fund-raising dinner for her son at the Tavern-on-the-Green in Central Park on

Monday. The tavern had canceled the dinner. Mrs. Sobell was told the Mayor was unable to see her yesterday or today because he is presiding at public hearings on the proposed executive budget.

*Walter J. ...*  
*... 11-50*

# Reveal Prison Pastor Ousted for Sobell Plea

San Francisco, April 16 (AP)—Alcatraz Prison Warden Paul Madigan says a prison chaplain who signed a petition on behalf of convicted spy Morton Sobell was asked to resign and did.

Sobell was convicted in 1953 with Ethel and Julius Rosenberg of stealing atomic secrets for Russia. The Rosenbergs were executed. Sobell received a 30-year prison sentence.

Madigan said last night that the Rev. Peter McCormack was asked to leave last November and that one of the reasons was his signature on a petition seeking freedom for Sobell. The U. S. Supreme Court has turned down seven appeals from Sobell.

McCormack, a retired United Presbyterian minister, quit immediately.

He refused to confirm a report he plans to fly to New York

See Editorial, Magazine Page 5.

APRIL 21 to speak at a Sobell mass meeting.

Madigan said Sobell was transferred from Alcatraz to the Federal Penitentiary at Atlanta, Ga., two months ago.

He said he disclosed the reason for the chaplain's dismissal only because of its mention by columnist Herb Caen in the San Francisco Chronicle.

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## CLU Stepping Into Court Action Over Sobell Dinner Cancellation

The New York Civil Liberties Union will intervene as a friend of the court tomorrow in a move to force the Tavern on the Green to serve dinner to a group seeking clemency for Morton Sobell, imprisoned atom spy.

The Committee to Secure Justice for Morton Sobell, had planned the \$10-a-plate fund-raising dinner for Monday.

The restaurant was scheduled to appear in Supreme Court at 10 a.m. to show cause why its contract with the committee should not be honored.

Meanwhile, Norman Thomas, former candidate for President on the Socialist ticket, added his voice to the clamor against cancellation of the contract, which followed pressure on the restaurant by Parks Commissioner Moses.

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Taking issue with Moses' suggestion that the committee hold a rally in Union Sq., Thomas insisted:

"They have a right to obey the old American exhortation: 'Go hire a hall!' This they tried to do and were rebuffed."

Thomas said pressure from public officials in prompting the restaurant to cancel its contract "seriously compromised the American doctrine and practice of civil liberty."

"It is not an attack on the American system of jurisprudence, but a justification of it, that citizens have a right to disagree with court decisions in orderly fashion," Thomas said.

"What is involved in the cancellation of the contract is not the question of the soundness of the position of Mr. Sobell's

champions, it is a question of their right to express them."

In announcing that one of his attorneys, Nancie Demblitz, will represent the civil liberties union at the court hearing, the New York organization added:

"For Commissioner Moses to recommend that the contract be cancelled shows an utter failure to comprehend the First Amendment guarantees of freedom of assembly and speech."

"The Tavern on the Green and other city-owned property cannot be restricted to those whose ideas appeal to Mr. Moses."

"It is the function of city officials to see that all groups—be they extreme left, middle of the road or extreme right—are assured the right to peaceful assembly and expression rather than to put impediments and restrictions in their way."

## Sobell Group Acts To Enjoin Tavern

The Committee to Secure Justice for Morton Sobell served a show cause order yesterday on the Tavern-on-the-Green in Central Park asking why the tavern should not be restrained from canceling a fund-raising dinner scheduled for April 21. The tavern must answer the order in Supreme Court tomorrow at 10 a. m.

The papers were served on Julius Berman, tavern treasurer, and Arthur Schleifer, tavern president. The committee wants to hold an "Appeal for Freedom" dinner at the tavern for Morton Sobell, who is serving a thirty-year prison term as a Soviet spy. The tavern canceled the dinner Sunday because it was "bombarded" with telephone calls protesting its use for such a purpose.

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## Sobell Group Wins Court Step

Supreme Court Justice William C. Hecht Jr. has ordered the Tavern on the Green management to show cause at 10 a.m. tomorrow why it should not reinstate a fund-raising dinner scheduled for next Monday by the Committee to Secure Justice for Morton Sobell. Sobell is a convicted atom spy.

The management canceled the dinner after it received public protests and a letter from Parks Commissioner Robert Moses. The New York Civil Liberties Union announced it would move to intervene tomorrow as a friend of the court.

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N. Y. *World-Telegram*  
 7<sup>th</sup> Sports  
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NEW YORK DIVISION

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## EX-PRISON CHAPLAIN SPEAKS FOR SOBELL

The Rev. Peter McCormack, 73-year-old former Protestant chaplain of Alcatraz Prison, said here yesterday that he believed Morton Sobell was "incapable" of conspiracy to commit wartime espionage. Sobell was sentenced in 1951 to thirty years for the crime.

Mr. McCormack, who retired as a Presbyterian pastor five years ago, became a chaplain at Alcatraz, the Federal penitentiary in San Francisco Bay, three years ago. He said he had spoken with Sobell there every Sunday until last October.

At that time Mr. McCormack was relieved of his position. He said that an official reason had never been given him, but that he presumed he was dismissed because he signed an appeal to free Sobell.

Mr. McCormack was to have spoken at a dinner next Monday at the Tavern on the Green in Central Park under the sponsorship of the Committee to Secure Justice for Morton Sobell. The tavern canceled its contract with the committee Monday, citing "public pressing." The committee has brought legal action to force the tavern to permit the dinner. A hearing on the action will be held today in Special Term, Supreme Court.

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## Sobell Dinner Transferred

The Committee to Secure Justice for Morton Sobell, convicted co-conspirator of executed A-Bomb spies Ethel and Julius Rosenberg, has transferred its fund-raising dinner scheduled for Monday to the Chateau Gardens, Houston st. and 2d ave.

The committee was turned down yesterday in Manhattan Supreme Court by Justice Aaron Steuer, in a plea to force the city-subsidized Tavern-on-the Green Restaurant to serve the dinner.

Reservations had been made for the dinner at the Tavern, to enlist public support for an appeal to President Eisenhower for Executive clemency for Sobell, now serving a 30-year sentence in Atlanta Federal Penitentiary.

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## RESTAURANT UPHELD ON FETE FOR SOBELL

The Committee to Secure Justice for Morton Sobell yesterday lost a court attempt to force the Tavern on the Green to reinstate a dinner reservation the restaurant canceled last Monday.

The committee had reserved the restaurant in Central Park to enlist public support for an appeal to President Eisenhower for clemency for Sobel. In 1951 he and Julius and Ethel Rosenberg were convicted of conspiracy to commit espionage. He is serving a thirty-year sentence in the Atlanta Federal Penitentiary.

In denying the committee's request for an order directing the restaurant to honor the reservation, Justice Aron Steuer in Manhattan Supreme Court rejected the committee's contention that it was being denied the right of free speech and assembly.

Justice Steuer held that the issue was that of compliance with a contract and not of civil liberties. Taking note of the committee's contention that it would be "irreparably injured" by the cancellation, he indicated that the proper relief was in a lawsuit for damages.

The committee later announced that it had arranged to hold the dinner Monday at 7 P. M. at the Chateau Gardens, Second Avenue and Houston Street.

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## Judge Upholds Sobell Fete Ban

Ruling that the rights of assembly and free speech were not an issue, Supreme Court Justice Aron Steuer yesterday turned down the petition of the Committee to Secure Justice for Morton Sobell for an order compelling the Tavern-on-the-Green to honor a banquet reservation. The committee had planned to hold a \$10-a-plate affair at the Central Park restaurant Monday, but the restaurant canceled. Sobell is serving a 30-year prison term for conspiracy to commit espionage.

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## NEW SOBELL SETBACK

### Second Restaurant Cancels Contract for Dinner

Miss Hilda Kaye, president of the company operating Chateau Gardens, 105 East Houston Street, announced last night that the company had canceled a contract under which it was to have rented space to the Committee to Secure Justice for Morton Sobell for a fund-raising dinner scheduled for tomorrow night.

It was the second cancellation notice the committee has received in a week. Last Monday the Tavern-on-the-Green in Central Park announced it was dropping the committee's reservation. A committee attempt to force reinstatement on the ground of violation of civil liberties failed when Justice Aron Steur, in Manhattan Supreme Court, ruled that civil liberties were not involved.

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## NEW SOBELL SETBACK

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## Sobell Fund Dinner Gets A New Spot

Blocked in their attempt to hire the Tavern on the Green, the Committee to Secure Justice for Morton Sobell has switched its fund-raising dinner to the Chateau Gardens, Second Av. and Houston St., at 7 p.m. Monday.

Supreme Court Justice Steuer on Friday denied a motion by the committee to compel the Tavern to reinstate the committee's dinner reservation. Justice Steuer held that rights of freedom and of speech and of assembly were not at issue.

The question, he said, was one of breach of contract. He indicated relief would be in a lawsuit for damages.

Sobell is serving a prison sentence as a Soviet atom spy.

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# Church Offers Meeting Place to Sobell Fund

The Committee to Secure Justice for Morton Sobell, denied accommodations at two restaurants, will be given a haven tonight in the Community Church at 40 E. 58th St.

But Mrs. Morton Sobell, wife

of the convicted atom spy, explained that the church action did not constitute an endorsement of the aims of the committee.

The church, she said, made its facilities available merely in response to the committee's difficulty in finding a place to exercise freedom of speech and assembly.

The meeting, a fund-raising dinner featuring a talk by the Rev. Peter McCormack, former chaplain of Alcatraz prison, originally was scheduled for the Tavern on the Green.

That restaurant canceled its contract, however, after pressure

from various sources, including Parks Commissioner Moses.

The committee said it next obtained accommodations at the Chateau Gardens, but on Saturday this restaurant, too, rebuffed the

A court attempt to force the Tavern on the Green to live up to its contract failed Friday, when Supreme Court Justice Stier held that freedom of

speech and assembly were not at issue. He said the question was one of breach of contract and relief should be sought in a lawsuit.

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P. 22. 74

## Sobell Dinner Is Called Off, Free Meeting Set Tonight

Canceling plans for its controversial \$10-a-plate dinner, the Committee to Secure Justice for Morton Sobell, convicted spy, announced yesterday it will hold an admission-free meeting tonight at the Community Church, 40 E. 35th St., after the Chateau Gardens, 105 E. Houston St., became the second restaurant to cancel reservations for the committee's dinner.

The Tavern-on-the-Green in Central Park was the first to refuse the "Appeal for Freedom" dinner to be held in its restaurant, because the committee was "too controversial." Parks Commissioner Robert Moses supported the Tavern's action, saying that the meeting would be "in effect, an attack on our courts and system of justice and will be offensive to many citizens. . . ."

At a press conference at the committee's headquarters, 940 Broadway, Mrs. Morton Sobell, whose husband was convicted with Julius and Ethel Rosen-

berg in 1951 of conspiracy to commit espionage, said the committee planned court action against both restaurants for cancellation of contracts for the dinner.

Mrs. Sobell said:

"We of the committee . . . are very grateful to the Community Church for making it possible for us to present our appeal to the public."

John Papandrew, assistant minister of the church, said the committee would be allowed to use the church because of the church's position on freedom of assembly and speech. The arrangements, he said, were made through Dr. Donald Harrington, minister of the church, who is out of town. It did not mean, however, that the church was endorsing the committee or its purposes, Mr. Papandrew said.

Mrs. Sobell said the money collected for the dinner would be returned to those who had made reservations.

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H. V. NY HERALD TRIBUNE  
EDITION 1  
DATED 1-1-58  
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PUBLISHED BY NY HERALD TRIBUNE  
NOT FORWARDED BY NY HERALD TRIBUNE



### SOBELL MEETING SET

Community Church Lets Group  
Gather There Tonight

The Committee to Secure Justice for Morton Sobell, rebuffed by two restaurants, will hold a meeting tonight at 8 o'clock at the Community Church, 40 East Thirty-fifth Street.

The church made its facilities available, not as an endorsement but in response to the committee's difficulty in finding a place to exercise freedom of speech and assembly. Mrs. Morton Sobell said yesterday.

Last Monday the Tavern-on-the-Green canceled a reservation for a fund-raising dinner and on Saturday the company operating Chateau Gardens did the same.

Sobell was convicted in 1951 of conspiring to spy for the Soviet Union and is serving a thirty-year sentence. Speakers will include his wife, his mother and the Rev. Peter McCormack, a former Protestant chaplain at Alcatraz who knew him there.

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## 400 at Sobell Fund Rally in Church

A meeting to bring about a new appeal for convicted atom spy Morton Sobell drew 400 persons to the Community Church at 40 E. 35th St. last night.

Sponsored by the Committee to Secure Justice for Morton Sobell, the meeting was held in the church after the Tavern on the

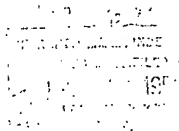
Green and the Chateau Gardens had refused to allow their facilities to be used for a fund-raising dinner on Sobell's behalf.

The Rev. Donald Harrington of the Community Church made a brief address. He received an ovation when he reminded the group that "under similar circumstances

in the Soviet Union he (Sobell) would not be in prison—he would be dead."

Dr. Harrington said later "the church . . . received dozens of telephone calls threatening to plant and threatening to plant bombs." The threats were not reported to police.

Post  
7 Blue Final  
4-22-58



# Sobell Meeting Held in Church

Ignoring bomb threats and other crank calls, the Community Church, 40 E. 35th St., turned over its auditorium last night to the Committee to Secure Justice for Morton Sobell, atom spy convicted in 1951 with Julius and Ethel Rosenberg. About 600 persons attended the meeting.

The Rev. Dr. Donald Harrington, pastor of the Unitarian church, reminded the audience that, "under similar circumstances in the Soviet Union, he (Sobell) would not be in prison—he would long since be dead."

He said he offered church facilities to the committee "to maintain American traditions

of free speech, free assembly and the right to petition."

After two restaurants refused to let the committee hold a \$10-a-plate dinner on their premises, Dr. Harrington allowed committee members and sympathizers to use the church hall without charge.

"We don't want to feel any obligation to them," he told newsmen last night. "Our obligation is to civil liberties."

He added his church "has to pay the price of negative public feeling. We received dozens of phone calls threatening to picket and bomb the church."

Dr. Harrington said he didn't take the calls seriously enough to report them to police.

NY WORLD TELEGRAPH & SUN

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### An Issue of Free Speech

May this chronic deviationist take issue with your editorial condemning Mayor Wagner "and others" in the typically Communist-inspired cause celebre growing out of the refusal of the Tavern on the Green to permit the Committee to Secure Justice for Morton Sobell to use its facilities for a tear-jerking, money-raising effort.

Just how is free speech involved when a property owner refuses to have his property used by America-hating Soviet agents? Do you maintain there is something in the laws of the land which makes it mandatory for a property owner to rent his "hall" to anyone just because that anyone happens to be a Communist stooge?

For many years now, the principal hotel owners have made successful efforts to keep Gerald L. K. Smith and his ilk from utilizing hotel facilities across the nation. Gerald Smith's propaganda sheets have cited chapter and verse of such turn-downs which he attributes to a mythical "Jewish conspiracy."

Are you now arguing that it is mandatory for these hotel owners to provide facilities for anti-Semitic rabble-rousers in the name of a "decent display of reverence for the Bill of Rights?"

The fact is no free speech issue is involved in a property owner deciding against either Soviet agents or Gerald L. K. Smith crackpots. The fact is these enemies of freedom can always manage to find deluded support somewhere and wind up with a church auditorium without even "hiring a hall."

As far as I'm concerned, even enemies of freedom are entitled to free speech. But at the same time property owners have rights too.

Perhaps The Post could let its readers know just how it has

editorialized in the past about restrictions placed on Gerald L. K. Smith's free speech rights.

VICTOR LASKY,  
The Westmore.

\* \* \*  
(The Post has time and again supported free speech for Fascists and Communists alike. In our editorial on the Sobell episode, we specifically said that we would take the same position if a Committee for Ezra Pound were denied a hall. Nobody can compel a property owner to rent his property for any purpose; but in this instance the rental agreement was made and then withdrawn under pressure from Robert Moses and others.—Ed.)

CLIPPING FROM THE

N. Y.

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## Helen Sobell to give talk

Mrs. Helen Sobell, wife of Morton Sobell, will speak this Saturday at 1 pm in Soc Sci 122 on the recent developments in her husband's case. Sobell was implicated in the espionage trial of Julius and Ethel Rosenberg, and sentenced to 30 years in prison.

According to Harvey Perkins, executive secretary of the Chicago Sobell Committee, Sobell is now appealing for executive clemency after having been denied a retrial earlier in the year. Dr. Harold Urey said some time ago that he could not tell, after reading the transcripts of the trial, what Sobell was actually charged with, and what were the actual grounds for his conviction and thirty-year sentence. Sobell was allegedly kidnapped in Mexico by the FBI, brought back to this country for trial, and in March of 1951, sentenced to thirty years in prison.

Mrs. Sobell recently spoke at the University of California at Berkley, about the case. She, and the many affiliated Committees for Morton Sobell, have been working ever since his trial to effect his release. She will be sponsored by SRP.

Chicago Memo  
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# Walter Winchell

## of New York

### Man About Town

Katharine Hepburn is admiring the calla lilies with attorney Alan Scofield... Jenny Lindstrom (dgbir of Ingrid Bergman) and college student Jamie Ortiz are cupidoodling... Dorothy Malone's heartistic effort is still legalite Wendell James of Spokane... Beverlee Onassis (of the Greek clan) and singer John Bartis have reconciled. They will blend June 15... Helen Wood, the star dancer, is tripping the light fantastic with Wall Streeter Gilbert Anderson... Kaye Ballard reports that the news (here) she is feuding with another comedienne (over thefted material) is bunk. "No retraction." Postscripted Kaye, "Just want you to know you've been had by some press agent"... Edward G. Robinson's recent wife (Gladys) wires: "There is another typhoon, I mean tycoon. His name is my chorine I begged Los Angeles and Miami Beach police (and the FBI) to protect from bodily harm was terrified as her father was beaten up by two men. Vegas police say they doubt a link to the Florida murder case she allegedly eye-witnessed in Florida... Some coincidence!"

The FBI has learned that the Communist Party will launch an all-out propaganda drive on the anniversary of the Rosenbergs' execution in June... Friends of Tom Dewey say that he will support Nelson Rockefeller as Republican candidate for Governor of New York... State Dept. sources are afraid that if General de Gaulle gains power he will make a deal with the Russians where France withdraws from NATO in return for the Russians withdrawing support from Algerian rebels... Josephine Baker planted the seeds of hate in South America ("I saw Negroes hanging from every other lamppost in the United States") which bore all the rotten fruit flung at Mr. Nixon.

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### Help Stop Frameup!

The United States Government, in the tradition of capitalist "justice" typified by the Sacco-Vanzetti, Rosenberg, and Sobell frame-ups, is demanding the liberty and possibly the lives of three writers, John and Sylvia Powell, and Julian Schuman.

Schuman and the Powells, as editors of the American magazine "New China Review", were indicted in 1956 on charges of "sedition" based on articles which they printed, exposing the war-like policies of the United States in the Far-East; they reported Korean and Chinese charges of germ-warfare by the United States aggressive forces in Korea. When in January 1959 the prosecution case collapsed in a mistrial, the government began new proceedings to indict them for "treason".

The continuing persecution of these writers signifies the desperation of the American ruling circles to maintain an atmosphere of continuous war hysteria. They try to suppress the true facts of American aggression abroad by persecutions and intimidations.

Only immediate mass protests can abort this new chapter in the infamous history of American ruling class frame-up "justice". We urge a flood of letters to Attorney-General Rogers in Washington, D. C., demanding the dismissal of all charges. We urge financial support to the Powell-Schuman Defense Committee, Box 1808, San Francisco, Calif.

*Wang*

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41  
J. L. C.

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"To surrender then was to die," says Mrs. Sobell, a quiet, diminutive and cheerful woman. Accident, sheer and simple, she believes, brought this grotesqueness into her life. "Mort is completely innocent," she adds. "I didn't want to try to be a hero any more than Mort wanted to be a martyr, but these were the roles thrust upon us. At that point you just stop acting like a private individual. History takes you by the hand."

Mrs. Sobell's final recourse was to organize the Committee to Secure Justice For Morton Sobell, with an office at 940 Broadway.

In recent years, and particularly this year, a whole chorus of



Mrs. Morton Sobell

prominent theologians, scholars, lawyers and judges have reviewed the 1715-page transcript of the trial and concluded that Sobell was unjustly accused.

Reactions have ranged all the way from author Carlton Beals' statement that the Sobell conviction was "so absurd it is incredible" to philosopher Bertrand Russell's comment that "The comparison (of the witchcraft trials in Salem, Mass.) with the Rosenberg-Sobell case is unavoidable."

Atomic scientist Dr. Harold C. Urey read the transcript and remarked, "You cannot tell what Morton Sobell is even supposed to have done." More recently, Dr. Reinhold Niebuhr, together with six other eminent theologians, stated flatly, "Sobell was never implicated with atomic espionage."

**J**UST LAST FRIDAY, here in the Village, at a rally attended by over one thousand people, Dr. Horace M. Kallen, Professor of Philosophy at the New School, addressed himself to the Sobell case. "I am here as an act of conscience," he said, "to make a statement of conscience, to make a statement of conscience as an American citizen very deeply concerned with what is the most essential character of the American ideal and the American program, involving all that we mean by the Bill of Rights, and involving all that we mean by the endeavor to secure equal justice for all people regardless of their associations and connections . . .

"The thing that you and I can do, as simple, plain Americans," he summarized, "is to keep repeating, to the persons who are now charged with the administration of justice in the nation, and all of our elected officers, that this kind of injustice is a betrayal of our country to the world . . ."

# PROPAGANDA EVADES BAN ON 'CONNUBIAL VISITS' Sobell's Wife Pleads to Have

By JACK LOTTO

## Baby by Spy

The wife of imprisoned atomic spy conspirator Morton Sobell has asked Federal officials to permit her to have a baby with her husband.

Sobell, part of the Rosenberg spy apparatus, is now serving a 30-year term in the Atlanta Penitentiary.

Mrs. Sobell undoubtedly knows official government policy prohibits opening jail cells for so-called "connubial visits." Sobell succeeded the executed Rosenbergs as the "martyr" in a Communist and pro-Communist campaign to vilify the U. S. and discredit its courts and judicial processes.

Copies of the motherhood plea by Helen Sobell to James V. Bennett, director of Federal Prisons, are now being distributed in Communist circles.

Mrs. Sobell also sent copies of what normally would be considered a delicate and intimate personal desire to prominent non-Communist women, asking their "opinion."

Interlaced with sweet sentiments about love and children are all the oft-repeated baseless contentions of how her husband is an innocent man who will be "vindicated" ultimately.

In meeting with representatives of the Communist press

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In Los Angeles recently, Mrs. Sobell asked for a "little" campaign of public support for her desired prison-concoived baby. "Actually," she told a reporter for a Communist Party newspaper, "if Mortie can be released now, while there is still time for us to have children, the problem will be removed from the hands of the authorities. This is what we really want most, of course."

Wrote Mrs. Sobell to Bennett:

"We want to have a baby... We feel that even where there has been guilt, unlike our case, society should not deprive even these individuals from the most rehabilitating circumstance possible, the responsibility of fulfilling our destiny as men and women..."

"We believe we have acted in all respects as decent, honorable, loyal human beings. There is no stain on our hearts or minds or bodies which would make us hesitate to bequeath our heritage to another child."

In refusing to halt the executions of Sobell's co-conspirators, Julius and Ethel Rosenberg, President Eisenhower said:

"The execution of two human beings is a grave matter. But even graver is the thought of the millions of dead whose deaths may be directly attributable to what these spies have done."

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MRS. HELEN SOBELL



MORTON SOBELL

## Wife Seeks Child By Spy in Prison

The wife of convicted spy Morton Sobell said today she would repeat her request to stay with her husband in Atlanta federal penitentiary long enough to conceive a child by him.

"My husband has been in prison for 10 years and the time in which we can have children is coming to an end," she said. "We don't want to lose our future as we have lost the present."

Her first request to visit her husband so that she could become pregnant, made last April, has been refused by Bureau of Prisons director, James V. Bennett. It was disclosed yesterday. He said, bureau policy and regulations banned such a visit.

### In Prison Nine Years.

Sobell, now 42, has actually been in prison a little more than nine years, since August, 1950. He was convicted as a member of the spy operation that resulted in the execution of Julius and Ethel Rosenberg for espionage. Sobell was sentenced to a 30-year term.

Mrs. Sobell, now 41, and her husband have two children, a daughter, Sydney, 19, and a son, Mark, 9.

"I know that such a human and natural request will not continue to be denied," she said today in her Manhattan apartment. "and I shall ask

again. I believe with all my heart we are right in making this request."

### Calis Him Innocent.

Mrs. Sobell insisted that her husband is innocent, adding: "I know he will be home soon through a new trial or pardon."

She said she believed "that family or home visits for prisoners, which are a customary part of many prison systems, must become a part of our system of penology."

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## Mrs. Sobell Loses Bid to Join Spy in Jail

An unprecedented request by Mrs. Morton Sobell to stay with her husband, a convicted spy, in the federal penitentiary at Atlanta, Ga., long enough to conceive a child by him has been refused by the government.

She made the request in a letter to James V. Bennett, director of the Bureau of Prisons, last April, it was disclosed yesterday. He replied that bureau policy and regulations prohibited such a visit.

Sobell, now 42, was convicted with Julius and Ethel Rosenberg in 1951 of stealing American atom bomb secrets and giving them to Soviet agents. He got a 30-year term. The Rosenbergs were executed in 1953 for the crime.

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*P. Shenk*  
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## U. S. Rejects Conjugal Visits

### **Wife of Jailed Atom Spy Wants to Have Baby by Him**

WASHINGTON, Sept. 29 (UPI).—The government has rejected an appeal by the wife of a convicted atom spy to live with him in Atlanta Federal Penitentiary long enough to conceive a child, the Justice Department said today.

The wife of Morton Sobell petitioned Federal Prison Director James V. Bennett in April for permission to join her husband. Sobell was a member of the spy ring headed by Julius and Ethel Rosenberg, who were executed.

Mr. Bennett turned down the request on the ground that the Federal prison system did not permit conjugal visits by the wives of prisoners. Inmates and their wives are permitted to have marital relations in some foreign prisons, including those in Mexico.

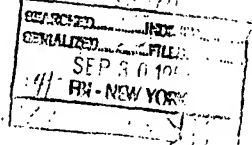
In New York, Mrs. Sobell,

forty-one, said she would renew her request.

"I think it is a human and natural request and I sincerely hope it will be granted," she said.

Mrs. Sobell had requested that her petition not be made public at the time it was presented. She was represented by Eleanor Piel, a New York attorney.

Sobell, who started a thirty-year prison term in 1951, has a ten-year-old son and a twenty-year-old stepdaughter. The forty-two-year-old New York electrical engineer was held at Alcatraz until 1958.



ASKED TO LIVE IN PRISON WITH SPY

## Sobell's Wife Loses Plea

WASHINGTON, Sept. 29 (UPI).—The government has rejected an appeal by the wife of a convicted atom spy to live with him in Atlanta. Federal



MRS. MORTON SOBELL

She'll keep trying.

(AP Photo)

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*Sherridan*

Prison long enough to conceive a child, the Justice Department said today.

The wife of Morton Sobell petitioned Federal Prison Director James V. Bennett last April for permission to join her husband. Sobell was a member of the spy ring headed by Julius and Ethel Rosenberg, who were executed. Bennett turned down the request on grounds that the Federal prison system did not permit conjugal visits by the wives of prisoners.

**INDIATES** AND their wives are permitted to have marital relations in some foreign prisons, including those in Mexico.

(In New York, Mrs. Sobell, 41, said she would renew her request.

"I think it is a human and natural request and I sincerely hope it will be granted," she said.)

Mrs. Sobell had requested that her petition not be made public. She was represented by Eleanor Piel, a New York attorney.

**SOBELL**, who started a 30-year prison term in 1951, has a 10-year-old son and a 20-year-old stepdaughter. The 42-year-old New York electrical engineer was held at Alcatraz until 1958, when he was transferred to Atlanta.

Sobell has sought a new trial several times, claiming his conviction on charges of conspiracy to send atomic secrets to Russia was based on perjured testimony. He also claimed he was wrongfully returned to the United States



**MORTON SOBELL**

Wife would be his cellmate.  
(AP Wirephoto)

after fleeing to Mexico.

The Supreme Court has turned down his petition for a new trial.



# Nix Plea of Spy's Wife For Child by Prisoner

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The wife of Morton Sobell, petitioned the prison director, James V. Bennett, last April for permission to join her husband. Sobell was a member of the spy ring headed by Julius and Ethel Rosenberg, who were executed.

## Not in This Country

Bennett turned down the request on grounds that the federal prison system did not permit conjugal visits by the wives of prisoners. Inmates and their wives are permitted to have marital relations in some foreign prisons, including those in Mexico.

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The Supreme Court has turned down his petition for a new trial.

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*Sherridan*

## MRS. SOBELL LOSES BID

Spy's Wife Denied Permission  
to Live With Husband in Jail

WASHINGTON, Sept. 29 (UPI)—The Government has rejected an appeal by Mrs. Morton Sobell, the wife of a convicted atom spy, to live with him in Atlanta Federal Prison long enough to conceive a child, the Justice Department said today.

Last April Mrs. Sobell petitioned James V. Bennett, Federal Prison Director, for permission to join her husband. Sobell was convicted as a member of the spy ring headed by Julius and Ethel Rosenberg, who were executed.

Mr. Bennett turned down the request on the ground that the Federal prison system did not permit conjugal visits by the

wives of prisoners. Inmates and their wives are permitted to have marital relations in some foreign prisons, including those in Mexico.

Mrs. Sobell requested that her petition not be made public at the time it was presented. She was represented by Eleanor Piel, a New York lawyer.

Sobell, 42 years old, started a thirty-year prison term in 1951. He has a 10-year-old son and a 20-year-old stepdaughter.

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ASKED TO LIVE IN PRISON WITH SPY

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MRS. MORTON SOBELL

She'll keep trying.

(AP Photo)

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MORTON SOBELL

Wife would be his cellmate.

(AP Photo)

after fleeing to Mexico.

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The Supreme Court has turned down his petition for a new trial.

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# Sobells War Baby ... But He's in Jail

Atlanta, Oct. 2 (AP)—Time is running out for Mrs. Morton Sobell and her convict husband who helped Julius and Ethel Rosenberg steal atom bomb secrets for Russia.

The Sobells say they want to have another baby, but federal prison officials have refused them permission while he is confined.

Sobell is serving a 30-year sentence and won't be eligible for parole until 1962. At that time he will be 45 years old and she will be 44.

"My greatest hope is that my husband will be freed and that this problem can be solved in a normal personal way," Mrs. Sobell said yesterday.

She lives in New York and comes to Atlanta every month for a regular two-hour visit with her husband. She spent her two-hour quota for September Wednesday and used up her two-hour October quota yesterday.

She said their birthdays this spring emphasized the problem of "completing our family." They have a boy, Mark, 10, and Mrs. Sobell has a daughter, Sydney, 20, by a previous marriage.

"Unless action is taken at this time, we can very well lose our future, as we have lost the present," Mrs. Sobell said.

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## The Inquiring Fotographer

By JOHN STAPLETON

THE NEWS will pay \$10 for each question accepted for this column. Today's award goes to Ruth Mey Knell, 245-05 91st Ave., Bellmore 26, N. Y.

### THE QUESTION

The wife of imprisoned atom spy Morton Sobell has petitioned federal officials to allow her to conceive a child. What is your reaction?

### WHERE ASKED

E. 86th St.

### THE ANSWERS

Philip R. Schaffer, Hastings, assistant to company president: "It's commendable that the woman wants to conceive a child through her husband, but under the circumstances the government should reject her appeal. Sobell is

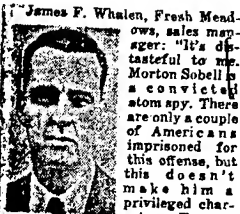
being punished with a 30-year sentence for his treachery. Why should he father a child?"

Mrs. John Gonason, Flushing,

home: "I sympathize with the woman. God put us on earth to propagate the human race and this woman merely wants to perform her natural function of having children. She isn't a criminal so why not allow her wish to come true?"



Sheldon



James F. Whalen, Fresh Meadows, sales manager: "It's distasteful to me."

Morton Sobell is a convicted atom spy. There are only a couple of Americans imprisoned for this offense, but this doesn't make him a privileged character. To me, this looks like an attempt to undermine our penal system."

Mrs. Florence Eckert, Bronx, bookkeeper: "I for one don't think this union should take place. Suppose the government agreed to it? What could this woman tell the child about its father? Furthermore, how does she propose to support the child? Go on relief?"



Maria Visconti, Brooklyn, secretary: "I'm amazed by this woman's frankness. If she gets her way, how many other wives of convicts will make the same request? Part of the punishment in prison is separation from loved ones. Why didn't Mrs. Sobell talk her husband out of giving away our secrets?"



Andy Livadas, E. 90th St. restaurant manager: "I say: 'Why not?' Morton Sobell has been in jail eight years. This is a desperate appeal on the part of his wife. In Mexico and other countries they have what are known as connubial visits between wife and husband. Even caged animals are mated."





Field Representative—1. Need him to fire my husband, whom I told to immerse, from prison. Our Committee working in his behalf requires Eastern Regional Rep. man or woman killed in field work, fund raised. Must be convinced of merits of case. One travel in East discuss case with Committee leaders. Salary none. Write qualifications, references. Mrs. Morton Sobell, Committee in Secure Justice for Morton Sobell, 840 Broadway, N. Y. C.

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FIELD Representative - Need help  
to free my husband whom I know  
is innocent from prison. Our Com-  
mittee working in his behalf secures  
Eastern National Exp. man or woman  
skilled in field work, fund raising.  
Must be convinced of merits of case  
and travel in East. Discuss case with  
community leaders. Salary open. Write  
qualifications, references. Mrs. Martin  
Sobel, Committee to Secure Justice for  
George Sobel, 240 Broadway, N.Y.C.

SLIPPING PRO.

N. E. T. T. C. C.  
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**On Your Guard:**

## **Reds Urge Ike to Play 'Santa'**

By JACK LOTTO

PRESIDENT EISENHOWER has been warned to play Santa Claus to imprisoned Communists and spies or else face the prospect of "embarrassing questions" when he goes to Russia.

A top U. S. Communist Party leader raised the heckling possibility in bidding for freedom for Red bosses Gil Green and Henry Winston, and Rosenberg spy ring conspirator Morton Sobell.

Elizabeth Gurley Flynn, a member of the party's ruling executive board, described the trio as "political prisoners" who deserve Christmas amnesty.

She hinted Mr. Eisenhower would face organized heckling, such as greeted Vice President Nixon during his Soviet visit, unless he came across.

Writing in "The Worker," official Red mouthpiece, Mrs. Flynn said:

"Nikita Khrushchev said at the 21st Congress of the Communist Party of the Soviet Union that there are no political prisoners in that vast socialist country.

"Let us take our pens in hand to remind President Eisenhower that there are political prisoners in the U.S.A., and he can free them.

"He would be far more comfortable on his trip to the Soviet Union next Spring, and less likely to be asked embarrassing questions if he did this simple act of justice before departing."



LOTTO

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FBI - NEW YORK

Mrs. Flynn told the comrades to forget about sending Christmas cards this year.

Instead, she suggested, they should devote their energy to writing notes to unionists, fraternal groups, civic organizations, etc., to get them to put pressure on Mr. Eisenhower.

Other groups, such as "The National Committee to Secure Justice for Morton Sobell," joined in the Christmas amnesty appeal. The committee printed thousands of pre-addressed letters to the President.

While ostensibly pleading for a Presidential Christmas commutation, the letter repeats phony propaganda charges that Sobell was "convicted on flimsy testimony and given an unduly harsh sentence."

Another effort in behalf of Winston and Green, who were convicted of conspiracy to teach and advocate the violent overthrow of the government, is being pushed by some clergymen.

Their plea, printed on the stationery of the Essex Community Church, in Chicago, is co-signed by its minister, Rev. William T. Baird; Rev. A. J. Muste, of New York, and the Rev. Alva Tompkins, of Chicago's Olivet Presbyterian Church.

Rev. Baird has been affiliated with many pro-Communist enterprises. FBI Director J. Edgar Hoover described Muste as a man who has "long fronted for the Communists." Rev. Tompkins is one of those who appealed for clemency for the executed atomic espionage agents, Ethel and Julius Rosenberg.

# An Urgent Public Issue: FREEDOM FOR MORTON SOBELL



Reverend John Haynes Holmes  
Professor Victor Paschke  
Reverend A. J. Muste  
Rabbi Harry Halpern  
Jerome Nathanson  
Maxwell Geismar  
Murray Kempton  
Dr. Leo Mayer  
Max Eastman  
Conrad Lynn  
Howard Radest  
John F. Finerty  
Norman Thomas  
Dr. Horace Kallen  
Dwight Macdonald  
Dr. Reinhold Niebuhr  
Reverend Thomas Kilgore  
Reverend Donald Harrington

Morton Sobell has been in prison for nearly ten years. The charge: conspiracy to commit espionage. The sentence: 30 years. Mr. Sobell has from the beginning maintained his innocence. Many who have studied the trial record of his case are convinced of a miscarriage of justice.

Invite you to

read this summary of a meeting, attended by 600 persons, which we, the above, sponsored to discuss an urgent public issue: The CASE OF MORTON SOBELL. The meeting was held at the Community Church of New York on May 24th.

Chairman: WILLIAM M. KUNSTLER, attorney, associate professor at New York Law School, author of radio program "Justice" and moderator of "Free and Con" program, WMCA radio: Before giving you a little background on the Sobell case, I want to make it quite clear that I am speaking for myself and not for any of the institutions with which I am associated. The Rosenberg and Sobell cases were, unfortunately, intertwined. When the joint case went to the three-judge Court of Appeals for the Second Circuit, Judge Jerome Frank dissented. He voted to give Sobell a new trial on the ground that Hon. Irving H. Kaufman, the trial judge, had permitted the case to go to the jury with only one conspiracy pointed out when in reality there might be two conspiracies, the one in which Sobell might have been involved having, as Judge Kaufman himself admitted, no "connection with the atom bomb project."

While I believe the Rosenbergs were guilty, it is questionable whether there was sufficient evidence against Sobell to have gone to the jury. My study of the case indicates the possibility that he may be innocent, but in any event, I feel that his sentence was unjustifiably severe and that the ten years he has spent in Alcatraz and Atlanta are ample punishment.

The chief witness against Sobell was a former friend named Max Elitcher. In his testimony, which was totally uncorroborated, he said that Sobell had induced him into the Communist Party. Elitcher mentioned a number of conversations in which he said Sobell had asked him to (1) obtain espionage recruits, (2) obtain classified information about fire control systems, and

reasons for the Mexican trip and the use of aliases. It was a calculated risk at best, the more so when one recalls that the North Korean aggression, which started in June of 1950, had put some heat into the cold war. In the light of this country's understandable reaction, Morton Sobell's silence was a grave mistake and undoubtedly contributed to his conviction.

DWIGHT MACDONALD, author, critic, writer for the NEW YORKER and ESQUIRE magazines: I'm here because I believe Morton Sobell has been unjustly treated. The nine years he has served are more than enough punishment for the crime of which he was convicted. I've read the entire court record of the Rosenberg-Sobell case and I must say I think they received a fair trial. I'm also sorry to say that I think Sobell was guilty beyond reasonable doubt.

Nevertheless, it was never clear why in the world Sobell should have been tried along with the Rosenbergs. When he sentenced Sobell, Judge Kaufman said: "The evidence in the case did not point in any activity on your part in connection with the atomic bomb project," which is quite explicit. And then he went on to sentence him to 30 years.

Now this is a fantastic sentence, even if you think as I do that Sobell was guilty. (I think he was.) I hope I am wrong. But anyway, the only thing he was shown to have done was extremely vague, and nebulous. I don't remember a single piece of concrete data which Elitcher was able to bring up that was actually passed on.

I don't understand why the Supreme Court, which in general has been quite good in the last ten years, didn't do something about this whole case. I opposed the death sentence against the Rosenbergs on moral grounds, and on the practical ground that

to ask that you be concerned with this case.

We are going back into the courts to ask for a new trial, which would serve vindicate my husband. During the last year we have seen many requests for a commutation and for a new trial of Morton's case, including appeals by professors of law at New York, Chicago, Yale, Cornell and Northwestern Universities. Almost 500 persons on 14,000 names asked for Morton's freedom. The Women's International League for Peace and Freedom has asked for a re-examination of this case, as has the California Democratic Council in a meeting of 3,000 delegates. There have been, among others, editorials in the CHRISTIAN CENTURY, the PORTLAND OREGONIAN, the MILWAUKEE JOURNAL. On the world scene, Lord Bertrand Russell, Martin Buber, a group of 15 prominent Israelis, Pablo Casals, Jean-Paul Sartre, and many others have asked for Morton's freedom.

This decade has not been lacking in sorrow and suffering for us as a family. We wanted, Morton and I, to have more children together. We wanted to live normal lives. Despite prison, we have tried to do this in every way we could. We love each other dearly. For the sake of children, and because Morton is a fine person and a competent scientist, we need him at home. Please help.

CONRAD LYNN, attorney specializing in the civil liberties field: I can't claim to come here tonight with a dispassionate view of the evidence against Sobell. By nature, I am a partisan. I want to congratulate not only the speakers, but this audience. It's a sign that the McCarthy period is coming to an end.

We once again see stirring the spirit

testimony that Sobell was not involved in some sort of nebulous contact with some very unspecific espionage. Ellitcher said that he drove to New York from Washington in the summer of 1948 and when he arrived at Sobell's office in Flushing, informed him that he thought he had been followed by several cars on the trip north. He testified that Sobell became very agitated and asked him to drive with him in his car to the neighborhood in Manhattan where Julius Rosenberg lived. While Ellitcher remained sitting in the car, Sobell disappeared for half an hour with what Ellitcher thought looked like a can of 35 mm film.

On cross-examination, Ellitcher admitted he was extremely frightened by the fact that he had lied under oath on an application for government employment and that he was worried about a perjury prosecution. But he admitted that he had hopes "that the best will happen to me."

The only other evidence against Sobell consisted of proof that he left for Mexico in June of 1950 before the arrest of Julius Rosenberg. He informed William Daniels, a former City College classmate, that he was taking a vacation with his family. While in Mexico, he used various aliases and made trips to the Mexican seaports of Vera Cruz and Tampico.

What may have hurt Sobell the most so far as the jury was concerned, was his failure to testify at the trial. This was, of course, a decision made by his attorneys. If I had been conducting his case I don't know what I would have done on this score. But in the light of hindsight, I think this worked against him, particularly as it left unanswered Ellitcher's accusations, the

#### Messages received for presentation at the meeting include:

**ROGER BALDWIN, Chairman, International League for the Rights of Man:**

"I am opposed to the continued imprisonment of Morton Sobell on the ground that the sentence was far too severe for the offenses, dictated by the hysteria then surrounding my charges. The injustice done under the pressure of the time should be righted, so far as that is possible, by a speedy commutation to the time served, already too long."

**CAREY MCWILLIAMS, editor of the Nation magazine:**  
"I have always thought that Sobell was improperly convicted and that the evidence against him was wholly insufficient. This is no recent conviction. I have thought this way for a long time, and had occasion to say so at a Sobell dinner meeting in Chicago quite some years ago."

**CONGRESSMAN WILLIAM MEYER, Democrat, Vermont:**  
"I am not trained in the law but I have attempted to study the background. This effort convinced me that Morton Sobell did not receive a fair and adequate trial. I have corresponded with the President and have urged him to consent to a new trial. Although I have been unsuccessful, I am even more convinced that a new trial is essential to the maintenance of American standards of justice. I make no reference in thousands of public. In asking or demanding that impartial justice be rendered to one man regardless of conditions. I am aware of the fact that I speak out for the future of all men."

**REVEREND PETER MCCORMACK of San Francisco,**  
former President chaplain at Alcatraz while Morton Sobell was imprisoned there:  
"Best wishes for a successful meeting. Truth and justice will prevail. Morton Sobell will be vindicated. Hundreds of clergy who signed the clergy appeal stand fast in their belief that Sobell is innocent. It's join you in urging his release."

especially about Kato. Sobell was not in the prison for 11 and was released a year or so ago after serving 30 years.

The Rosenbergs are dead. We can't do anything about this marriage of justice. But justice can still be done to Morton Sobell, and also to Henry Winton, who was convicted with Sobell, cooperated fully with the American authorities and yet was given 30 years.

**NORMAN THOMAS:** My own position on the Sobell case is admirably summarized in this very succinct statement which has been widely given out (study by group of theologians and law professors including Dr. Reinhold Niebuhr, and Professor Edmund Cahn of the New York University law school, calling the case against Sobell "vague in content and slender in proof" and asking for commutation of sentence). I am quite convinced that Mr. Sobell should have had another trial, in view of the facts cited here and also in view of the dubious administration of due process in the manner in which he was handled at the Max Baer. I was disappointed that the Supreme Court did not grant that trial. Of myself, I am not convinced by what I have read, either of his complete innocence or of his guilt.

This case demonstrates a peculiarly twisted idea of justice. Suppose Mr. Sobell were guilty as charged. What kind of justice would give him 30 years sentence, six years in Alcatraz, and still refuse to consider any kind of reduction? Men have committed horrible crimes of which there has not been the slightest doubt and got the sentence of 10 years, 15 years, and have been admitted to parole. But not Sobell.

Under our law we have denied the existence of a special category of political prisoners. They're all criminals—the gangster, the murderer, the racist—and so is the Communist and we treat them all alike. But we don't. The embezzler, yet the murderer, has a better chance of getting parole under certain circumstances.

This is a shame to the country. It's a weakness that we, so strong—that we who dare to say we lead the free world, that somehow, somewhere inside us there is such a spirit of fear, of dread, of hate, or vengeance that we mete out 30 years to Sobell for what he did, without mercy. And God knows we mete out perhaps death to Henry Winton, a South Act prisoner whose guilt is almost gone through a brain tumor. But the sentence still stands, no mercy, no parole.

Men who are too sophisticated to say it, men who perhaps won't admit it to themselves, those men carry on their misconceptions of justice and mercy because they think you and I like it.

**MRS. MORTON SOBELL:** If those who believe that Morton is guilty are willing to stand up here on this platform tonight and ask for his release, how much more is it my responsibility, who know his innocence

At the time that Morton Sobell was convicted, we had a classic incident of the pressure and influence of the press. I said and I say with spirit before the public pressure for conviction, regardless of evidence, is a mon spirit.

Regardless of the minutiae of evidence and regardless of the debate as to whether this bit should have turned the tide or that bit, when we know that the average sentence was meted out in the last part of the time in which it was rendered, then we have an obligation at another trial such as this to demand a review.

**HOWARD RADESKY, minister and leader of the New Jersey Ethical Culture Church,** took an offering of \$955 contributed by the audience toward purchase of this report. I think the innocence or guilt of a human being is not to be bandied in a court of a large audience. What I am concerned about is the strange picture of the man in the image in the music of the 20th century, with so many big things going on, with a willingness to devote time and energy and talent to consider the fate of one single living human being. If we should ever lose this ability to be concerned about another, whatever else we gain, we have lost the most important thing that you have. If you so alone is in the heart of the case and about what is at stake. This would be just as important as that who can give money. Do both.

**UNITED STATES CONGRESSMAN RAYMOND S. HARMON, Democrat, 10th District, Indiana:** I consider it my duty to participate in this meeting because it raises important questions of justice involved. Every American should examine the facts. It is good that men of conscience and integrity who are highly respected throughout the country are uniting to sponsor this public discussion in the case of Morton Sobell. I have looked into Sobell's case and I am convinced that the 30-year sentence is completely out of line.

Mr. Sobell, now in his 10th year in prison, has always maintained a high opinion of himself. The possibility that an innocent man is imprisoned calls for careful study and positive action. It would be to the public interest that Sobell be freed, and I intend to do everything in my power to see that this be done as quickly as possible.

I don't know anything about the other people that were involved in this case. I've never thought that a conviction was the answer. Perhaps the answer is why Morton Sobell has been in prison this long and why they won't let him out either day in court is because they haven't discovered that these other people were also innocent.

If you agree with the speakers that Morton Sobell should be released, please write directly to The President of the United States, The White House, Washington, D. C., and fill out the following form and mail it today.

Sponsors of the Sobell Discussion Meeting  
P. O. Box 343, Madison Square Station, New York 10, N. Y.

I would like to be included among those supporting the plea to the President for commuting the 30 year sentence for Morton Sobell to the time already served, almost 10 years.

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City and State \_\_\_\_\_  
☐ My signature may be made public along with other signers of this appeal. ☐ I request that my signature not be made public.

On the Anniversary of the Death of

Ethel and Julius Rosenberg, June 19, 1953

## White House Urged: Free Morton Sobell

Pleas for clemency state 19 reasons  
to justify executive action

In his tenth year of imprisonment, Morton Sobell's mother and wife, Rose Sobell and Helen Sobell, sent a letter Jan. 5, 1960 to The White House, enclosing a Memorandum, especially prepared for the President, on the public interest exhibited in the Sobell case in 1959, and asking for a commutation of Sobell's sentence from 30 years to the time served. Among the 47 Honorary Sponsors of the Committee listed on the letterhead are the names of Rabbis J. S. Bass, Samuel Bernstein, Morris Fishman, Robert E. Goldberg, Avery Grossfield and Jacob J. Weinstein as well as Messrs. Leo Berman, Waldo Frank, Dr. Leo Mayer, Prof. Anatol Rapoport and Sidney Silverman, M. P. Below we print the conclusion of the Memorandum, "Summary of Reasons for Executive Action."

Since this document was sent to the White House, the Committee to Secure Justice for Morton Sobell has increased its activity. Among the achievements it reports for the first three months of 1960 are action in support of Sobell by the California Democratic Council Feb. 14, increased newspaper, radio and TV interest in discussing the case, an editorial urging clemency March 7 in *I. F. Stone's Weekly*, an appeal for clemency March 13 by six Milwaukee clergymen, including Rabbi David S. Shapiro, a similar appeal Feb. 26 by Rabbi Morris Gordon of Washington, D. C., and another Feb. 24 by Benjamin Ginzburg, author of *Rededication to Freedom* and former research director of the Subcommittee on Constitutional Rights of the U.S. Senate Judiciary Committee. Copies of all these texts, including the full Memorandum, may be obtained from the Sobell Committee, 940 Broadway, N. Y. 10.

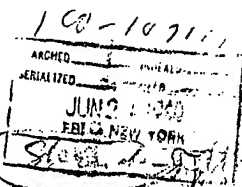
**Dear Mr. President:**

**T**HE many people who have been appealing in Morton Sobell's behalf have given varied reasons for their actions. They include the following facts:

1. The trial was held in the midst

of the tension of the Korean War. Not only did it take place when McCarthyism was at its height, but one of the prosecutors was Roy Cohn, who rose to become McCarthy's aid partly as a result of the notoriety he received in this trial.

"Jewish Currents," May/June, 1960  
Pg 34-36.



2. The United States Supreme Court never reviewed the case passed upon the merits of the trial.

3. Morton Sobell was not accused of atomic espionage.

4. Judge Jerome Frank of the U.S. Court of Appeals stated that Morton Sobell should have had a new trial because his case should have been separated from the atomic espionage conspiracy accusations against the Rosenbergs.

5. Only one witness gave any testimony connecting Morton Sobell with the conspiracy to commit espionage charge.

6. This witness, Max Elitcher, was tainted. He admitted on the witness stand that he had been guilty of perjury on another matter, that the FBI knew about his perjury and that he was testifying in hopes that he would not be prosecuted. He never was. His was accomplice testimony, generally regarded as weak or suspect.

7. Elitcher's testimony was uncorroborated. It was replete with contradictions, inconsistencies and implausibilities.

8. The credibility of the witness against Sobell has never been examined by a higher court.

9. No specific overt acts were listed against Sobell in the indictment.

10. It was not claimed in the trial that Sobell ever gave or received any classified information.

11. The Appeals Court at one point alluded to the "wholly reprehensible" conduct of the prosecution, and indicated that a new trial would have been justified had the defense objected in time.

12. The kidnapping of Morton Sobell and his family from Mexico by the prosecution resulted in prejudicial stories in the press and was used by the prosecution to prejudice



Morton Sobell in 1959

the atmosphere at the trial.

13. The hysteria of the time placed an undue burden on Morton Sobell and his attorneys. It was impossible for the attorneys to learn what Morton Sobell was accused of doing in order to prepare a defense. At the trial itself, the attorneys were faced with the choice of putting Morton Sobell on the stand in an inflamed atmosphere, or resting on his plea of innocence according to Constitutional guarantees. The fact that to this day prosecutor Roy Cohn holds that not taking the stand indicated Sobell's guilt is evidence of how the rightful use of Constitutional guarantees can be misinterpreted in moments of extreme tension.

14. The 30-year sentence against Sobell is far out of proportion. Even persons accused of treason in wartime, acting on behalf of enemy powers,



have been accorded far less severe sentences.

15. The judge based his harsh sentencing policy on the premise that Russia obtained the atomic bomb because of espionage. Today scientists, even conceding some help through espionage, say this was a distorted and harmful illusion that prevented our country from having a true picture of Russia's scientific capabilities. Morton Sobell, although not even accused of atomic espionage, was victimized by the attitudes of the time. Today, the atmosphere has changed, yet he remains a prisoner of that era.

16. Law journals which have studied the case have indicated that Sobell did not receive justice. No law review has held that Sobell's sentence was just.

17. Many authorities who have studied the case are convinced, not only that the trial or sentence were unfair, but that Morton Sobell is an innocent man, as he maintains.

18. When so many individuals and publications in our country raise basic questions about such an important case, these voices must be respected. The fact that such widespread doubt has been raised is in itself an urgent argument for Morton Sobell's release through Executive action. It is our tradition that where there are doubts such questions must be resolved to the benefit of the individual, not the prosecution.

19. Acting positively in this case would help to rectify wrongs done in the McCarthy era, and be a strong reaffirmation to the world of our country's dedication to the high ideals of justice, honor and compassion.

Mr. President, we urge with all our hearts that you give this case a personal examination. We urge that you please listen to the voice of educators, clergymen, writers and editors repre-

senting the American people. We urge you to consider the possibility of a commutation or pardon for Morton Sobell, the fairness or unfairness of the trial, there can be no moral justification for the 30-year sentence imposed upon him on the flimsy testimony presented. The only basis for such a sentence was the passion of the time in which he was tried. Certainly he and his family have suffered more than enough. Certainly our country has the greatness to correct an injustice rather than compound it by continuing to imprison a man who has been wronged. We appeal to you to end this ordeal by commuting Morton Sobell's sentence to the time he has served.

THE COMMITTEE TO SECURE  
JUSTICE FOR MORTON SOBELL

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# Letters to The Times

## 'Forcible Abduction'

Standard Set by United States for  
Itself and for Israel Contrasted

The writers of the following letter were respectively former staff counsel of the American Civil Liberties Union and former chief counsel to the United States Senate Committee on Constitutional Rights.

TO THE EDITOR OF THE NEW YORK TIMES:

In siding at the first United Nations debate with Argentina's claim that "her sovereignty has been infringed by the manner in which Eichmann was removed," the United States is now demanding of Israel a higher nobility than the United States Supreme Court's interpretation of our Constitution requires of American states.

The Supreme Court has upheld the conviction in the State of Michigan of an Illinois resident who claimed that while he was living in Illinois "Michigan officers forcibly seized, handcuffed, blackjacked and took him to Michigan." The Supreme Court ruled: "This court has never departed from the rule announced in Ker v. Illinois, 119 U. S. 436, that the power of a court to try a person for crime is not impaired by the fact that he had been brought within the court's jurisdiction by reason of a 'forcible abduction'."

Moreover, the United States has in this decade proposed a different standard for itself than it now proposes for Israel. Our Government has taken the position that it has the right to try a Communist spy allegedly kidnapped on foreign territory with American connivance.

Morton Sobell, arguing that he had been so kidnapped in Mexico, claimed that "his conviction would be a nullity if it were proved that the Government thus secured jurisdiction over his person in violation of United States law and international agreement. The Government answers that, even if United States officials had participated in Sobell's alleged kidnapping, the court in a criminal case, unlike a civil case, would still have jurisdiction over his person, as long as he was physically present at the trial."

New we have the United States saying that it may participate in the kidnapping abroad of a Communist spy for trial here, but that Israel cannot seize—without adequate reparations—one of the greatest mass murderers in history.

HERBERT MONTE LEVY,  
MARSHALL MADDEN

New York, June 23, 1960.

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# Letters to the Editor

## The Case for Morton Sobell

Attention has been focused on the kidnapping of Morton Sobell by the Eichmann case. Many have been concerned by the violation of Argentine sovereignty in the case of a Nazi murderer guilty of inhuman mass crimes. Eichmann's kidnapping will undoubtedly be raised as a major point in his defense.

In the Sobell case, the prosecution—after itself arranging the kidnapping—not only failed to notify the defendant that charges had been filed against him, but also deprived him of the opportunity to return voluntarily to face them.

No violation of sovereignty any country can be condoned. America must investigate the facts of the Sobell kidnapping. Neither the prosecutors nor the FBI has ever denied the kidnapping and its prejudicial use in the trial.

The Committee to Secure Justice for Morton Sobell has submitted a memo to the Senate Subcommittee on American Republic Affairs. This memorandum may be obtained by writing to 940 Broadway, N. Y. 10, N. Y. MRS. MORTON SOBELL

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FBI - NEW YORK	

## Orders Trial of Sobell Pals' Beef

Federal Judge Frederick van  
Pelt Bryan yesterday ordered to

trial a suit brought by the Com-  
mittee to Secure Justice for Mor-  
ton Sobell against Tavern-on-the-  
Green and against former Parks  
Commissioner Robert Moses be-  
cause of cancellation of a dinner  
sponsored by the committee. No  
date was set for trial. Sobell is  
serving a 30-year prison sentence  
as a co-conspirator of the ex-  
ecuted atom spies, Ethel and Julius  
Rosenberg.

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FBI - NEW YORK	

## SOBELL UNIT WINS RIGHT TO SUE CAFE

### Court Orders Trial of Suit Against Tavern on Green for Barring Rally

### CITY'S VIEWS REJECTED

### Liberties Union Presses the Action for Group Seeking Cut in Spy's Sentence

A Federal judge ruled yesterday that the Committee to Secure Justice for Morton Sobell had a case against the Tavern on the Green and Robert Moses. He ordered the case tried.

Sobell was convicted here in 1951 of conspiring to commit espionage for the Soviet Union with Julius and Ethel Rosenberg, who were later executed. The committee, which has campaigned for a reduction in Sobell's thirty-year sentence, scheduled a dinner at the tavern in Central Park on April 21, 1958.

News of the planned dinner aroused protests, and the tavern canceled it a week in advance. Meanwhile Mr. Moses, then Park Commissioner, wrote to the tavern operators that "while we cannot order you to cancel this affair, we recommend that you do so."

In behalf of the committee, the New York Civil Liberties Union filed suit, charging that the cancellation represented a violation of citizens' rights by New York City that is barred by the Fourteenth Amendment and the Federal Civil Rights Act of 1871.

### City in Counter-Move

A counter motion, argued by Assistant Corporation Counsel Albert Cooper, held that the tavern was a private undertaking, and urged dismissal of the suit.

Judge Frederick van Pelt Dryan agreed that private business was not affected by the anti-discrimination provisions of the Fourteenth Amendment.

But a restaurant in Central Park "is far from an ordinary private business enterprise," he said.

"Plainly this is a park facility conducted under the auspices and control of the municipal authorities," he observed. "The line of authority running from state to city, from city to Park Commissioner, from Park Commissioner to concessionaire, is plain."

Judge Bryan denied a motion by the plaintiffs for a summary judgment. He explained that a trial was needed to determine whether the cancellation of the dinner had violated the committee's rights.

### Facts to Be Determined

The judge said factors that would have to be determined in a trial included: negotiations for the dinner, the tavern's policy in booking such gatherings, availability of other sites, circumstances leading to the cancellation and the means at the tavern's disposal for protecting persons and property in the event of a riot.

Judge Bryan remarked that Park Commissioner Newbold Morris should be substituted for Mr. Moses as a defendant and his viewpoint be made clear before further action was taken.

The Civil Liberties Union wrote to the new Park Commissioner last month asking that he reconsider the case. Mr. Morris replied that he would "prefer to leave it to the court."

Counsel for both sides agreed that the ruling represented a landmark in the application of the Civil Rights Act.

Lawyers for the Civil Liberties Union were Nanette Dembits and Mercedes Hoffman.

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## SOBELL UNIT WINS RIGHT TO SUE CAFE

Court Orders Trial of Suit  
Against Tavern on Green  
for Barring Rally

### CITY'S VIEWS REJECTED

Liberties Union Presses th  
Action for Group Seeking  
Cut in Spy's Sentence

A Federal judge ruled yesterday that the Committee to Secure Justice for Morton Sobell had a case against the Tavern on the Green and Robert Moses. He ordered the case tried.

Sobell was convicted here in 1951 of conspiring to commit espionage for the Soviet Union with Julius and Ethel Rosenberg, who were later executed. The committee, which has campaigned for a reduction in Sobell's thirty-year sentence, scheduled a dinner at the tavern in Central Park on April 21, 1958.

News of the planned dinner aroused protests, and the tavern canceled it a week in advance. Meanwhile Mr. Moses, then Park Commissioner, wrote to the tavern operators that, "while we cannot order you to cancel this affair, we recommend that you do so."

In behalf of the committee, the New York Civil Liberties Union filed suit, charging that the cancellation represented a violation of citizens' rights by New York City that is barred by the Fourteenth Amendment and the Federal Civil Rights Act of 1957.

### City in Counter-Move

A counter motion, argued by Assistant Corporation Counsel Albert Cooper, held that the Tavern was a private undertaking, and urged dismissal of the suit.

Judge Frederick van Pelt Bryan agreed that private business was not affected by the anti-discrimination provisions of the Fourteenth Amendment.

But a restaurant in Central Park "is far from an ordinary private business enterprise," he said.

"Plainly this is a park facility conducted under the auspices and control of the municipal authorities," he observed. "The line of authority running from state to city, from city to Park Commissioner, from Park Commissioner to concessionaire, is plain."

Judge Bryan denied a motion by the plaintiffs for a summary judgment. He explained that a trial was needed to determine whether the cancellation of the dinner had violated the committee's rights.

### Facts to Be Determined

The judge said factors that would have to be determined in a trial included: negotiations for the dinner, the tavern's policy in booking such gatherings, availability of other sites, circumstances leading to the cancellation and the means at the tavern's disposal for protecting persons and property in the event of a riot.

Judge Bryan remarked that Park Commissioner Newbold Morris should be substituted for Mr. Moses as a defendant and his viewpoint be made clear before further action was taken.

The Civil Liberties Union wrote to the new Park Commissioner last month asking that he reconsider the case. Mr. Morris replied that he would "prefer to leave it to the court."

Counsel for both sides agreed that the ruling represented a landmark in the application of the Civil Rights Act.

Lawyers for the Civil Liberties Union were Nanette Diehl and Mercedes Hoffman.

CLIPPING FROM THE

N. Y. *Times*

EDITION *Late City*

DATED *7-22-60*

PAGE *25*

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## CLU Praises Ruling on Sobell Dinner

The New York City Liberties Union today praised a Federal Judge's ruling that the Tavern-on-the-Green and the City Parks Commissioner must stand trial in a suit brought by the Committee to Secure Justice for Morton Sobell.

The decision by U. S. District Court Judge Frederick van Pelt Bryan "is an important step in the continuing fight to protect individual rights and free speech," the NYCLU said.

The committee claims its rights were violated by the cancellation of its dinner in the Central Park restaurant two years ago. The committee seeks clemency for Sobell, who is serving a 30-year prison term as a convicted co-conspirator of Julius and Ethel Rosenberg, the executed atom spies.

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FILE DESCRIPTION

NEW YORK FILE

ROSENBERG/Sobell

SUBJECT Committee

FILE NO. 100-107111

Sub. A

VOLUME NO. 3

SERIALS 1

thru  
93



File No.

100-107111 Sub A Re: Rosenberg/Schell Committee

Date

2/78  
(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
1	11-12-60	NY Mirror Newscippings	2	2	
2	11-12-60	NY Journal American "	2	2	
3	11-18-60	NY Post Newscipping	1	1	
4	11-20-60	NY Herald Tribune "	1	1	
5	11-20-60	NY Times "	3	3	
6	11-21-60	" " "	1	1	
7	11-22-60	" " "	1	1	
8	11-24-60	" " "	1	1	
9	11-25-60	NY Long Island Press	1	1	
10	11-29-60	NY Mirror Newscipping	2	2	
11	12-2-60	NY Times "	1	1	
12	JAN 1961	Jewish Currents	1	1	

File No:

100-10744-Sub A

Re:

Rosenberg/Sobell Committee

Date:

2/28  
(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
13	9-26-61	NY News Newsclipping	1	1	
14	9-26-61	NY Times "	1	1	
15	9-21-61	NY Herald Tribune "	1	1	
16	9-21-61	NY LI News "	1	1	
17	9-21-61	NY Times "	1	1	
18	8-1-61	NY Post "	1	1	
19	6-7-61	" " "	1	1	
20	10-14-61	NY Journal American Newsclipping	2	2	
21	11-13-61	NY Sun Herald Tribune "	1	1	
22	Nov 1961	Jewish Currents	1	1	
23	11-19-61	NY Herald Tribune Newsclipping	1	1	
24	11-19-61	NY Journal American "	1	1	

File No: 100-10711-1ARe: Rosenberg, Sobell CommitteeDate: 2/78

(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
25	11-19-61	NY Times Newsclipping	2	2	
26	11-24-61	NY Herald Tribune Newsclipping	1	1	
27	11-24-61	NY News Newsclipping	2	2	
28	11-26-61	NY Journal American "	2	2	
29	11-27-61	NY Times "	1	1	
30	12-12-61	NY Post "	1	1	
31	12-13-61	NY Times "	1	1	
32	12-13-61	NY Herald Tribune "	1	1	
33	12-13-61	NY Daily News "	1	1	
34	12-16-61	NY Herald Tribune "	1	1	
35	12-16-61	NY Times "	1	1	
36	1-3-62	NY Post "	1	1	

File No.

100-107171-Sub A

Re:

Rosenberg/Sobell Committee

Date:

2/68  
(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
37	1-4-62	NY Times Newscipping	1	1	
38	1-4-62	NY Herald Tribune	1	1	
39	1-4-62	NY Mirror "	1	1	
40	1-4-62	NY Journal American "	1	1	
41	1-4-62	The Worker Newscipping	2	2	
42	1-11-62	NY Times "	1	1	
43	1-15-62	NY National Guardian Newscipping	2	2	
44	1-17-62	NY Post Newscipping	1	1	
45	2-2-62	NY World Telegram Newscipping	2	2	
46	2-11-62	NY Times "	1	1	
47	2-12-62	" " "	1	1	
48	2-25-62	" " "	1	1	

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File No:

100-10744-Sub A

Re:

Rosenberg / Sobell Committee

Date:

2/78  
(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred. (Identify statute if (b)(3) cited)
			Actual	Released	
49	2-15-62	NY Herald Tribune Newscipping	1	1	
50	2-23-62	NY Mirror "	1	1	
51	4-6-62	NY Mirror "	1	1	
52	4-6-62	NY Mirror "	1	1	
53	4-6-62	NY Times "	1	1	
54	4-9-62	NY Journal American "	2	2	
55	6-4-62	NY National Guardian "	1	1	
56	6-4-62	" " "	1	1	
57	6-18-62	" " "	1	1	
58	6-18-62	" " "	2	2	
59	6-23-62	NY Journal American <sup>Newsp</sup> clipping	2	2	
60	6-25-62	NY National Guardian "	1	1	

File No.

100-107114-244 Re Rosenberg, Ethel Committee

Date

2/78  
(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
61	1-2-62	NY National Guardian <sup>clipping</sup>	1	1	
62	7-21-62	NY Times Newsclipping	1	1	
63	7-23-62	NY Post "	2	2	
64	7-24-62	NY World Telegram "	1	1	
65	7-25-62	NY Times "	1	1	
66	7-29-62	NY Times "	1	1	
67	11-30-62	NY Post "	1	1	
68	11-30-62	" " "	1	1	
69	11-1-62	NY Times "	1	1	
70	11-7-62	NY Variety "	1	1	
71	11-10-62	NY Journal American <sup>clipping</sup>	2	2	
72	2-7-63	NY Standard Newsclipping	1	1	

File No:

100-10744 Sub A

Re:

Lombard / Schell Committee

Date:

3/78  
(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
73	2-10-63	NY Standard Newsclipping	1	1	
74	6-18-63	NY Mirror "	1	1	
75	6-19-63	NY Times "	1	1	
76	6-18-63	NY Mirror "	1	1	
77	6-16-63	NY Mirror "	2	2	
78	6-17-63	NY Herald Tribune Newsclipping	2	2	
79	6-22-63	NY Journal American "	2	2	
80	6-27-63	NY Times "	1	1	
81	6-27-63	NY Journal American "	1	1	
82	7-18-63	NY News Newsclipping	1	1	
83	4-18-64	The Campus - CCNY	1	1	
84	6-9-64	NY Times	1	1	

File No:

100-10771 Sub A

Re:

Rosenberg/Schell Committee

Date:

2/78  
(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
85	2-13-65	NY National Guardian <sup>news-</sup> <sub>clipping</sub>	1	1	
86	2-27-65	NY National Guardian <sup>news-</sup> <sub>article</sub>	1	1	
87	3-11-65	NY Times Newsclipping	2	2	
88	4-13-65	NY Times "	1	1	
89	10-27-65	Seattle Daily Times Newsclipping	1	1	
90	6-6-66	NY Times Newsclipping	1	1	
91	6-6-66	NY Times "	1	1	
92	2-15-67	Daily News "	1	1	
93	2-25-67	National Guardian "	1	1	
			114	114	



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# INVESTIGATION

Bureau File Number

100-38783

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# Reds Map Drive to Free Sobell

CAPITAL REPORT: FULTON LEWIS JR.

WASHINGTON, Nov. 11.—The American Communist Party has mapped a new drive to win freedom for Morton Sobell, convicted ten years ago of "conspiracy to commit espionage" with atom spies Julius and Ethel Rosenberg.

Communist organizers are currently planning a massive protest in Washington November 19-21 to publicize the case. The Reds are urging President Eisenhower to commute Sobell's 30-year sentence, and have recruited more than a thousand clergymen to sign petitions demanding amnesty.

These signatures will be presented to the White House, climaxing the three-day gathering later this month. Also planned are "sundown prayers" each evening in front of the President's residence.

A "clergy rally" will be held at the swank Shoreham Hotel at which Mrs. Sobell, former membership secretary of the Washington, D.C. Communist Party, will speak. Clergymen backing the "rally" include the Negro sit-in leader Martin Luther King and Washington's Rabbi Balfour Brickner.

The three are working with the National Committee to Secure Justice in the Rosenberg Case, described as a Communist front organization by the House Committee on Un-American Activities. In an effort to disassociate itself from the parent group, the name was changed again

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to the National Committee to Secure Justice for Morton Sobell in the Rosenberg Case.

The officers of the group, however, are identical. More than a thousand clergymen from all over the country have lent their names to the group. They claim that Sobell's trial was a frameup, and parrot much the same line that was used to defend the Rosenbergs. The facts about the Sobell conviction are crystal clear, however.

Max Elitcher testified during the atom spy trial that Sobell and Julius Rosenberg had tried to recruit him into their espionage ring. He further told of being with Sobell when he turned over microfilm to Rosenberg. When the case was broken in 1950 Sobell fled to Mexico, but was deported by Mexican authorities and handed over to the FBI.

His trial—during which he refused to take the stand in his own defense—and appeals lasted more than two years. The sentence was considered seven times by the United States Court of Appeals, and upheld each time. Another seven times it came before the United States Supreme Court, which refused to review it. There have been three requests to two American Presidents—Truman and Eisenhower—and all have been denied.

But the Communists have not given up. They charge that Sobell was convicted because of his "unorthodox" political opinions; they claim that Sobell, like the Rosenbergs, was convicted because he happened to be Jewish, a charge described as "fraudulent" by every leading Jewish organization in the country.

**On Your Guard:**

## **Red Fronts Plead for A-Spy**

By JACK LOTTO

**T**WO COMMUNIST fronts are recruiting an "army" of spy apologists, religious figures and dupes to "invade" the White House next week in an attempt to free an imprisoned espionage agent.

The national delegation will attempt to present a clemency appeal, mixed with slurs on American justice, to President Eisenhower.

The three-day Washington convocation (Nov. 19-21) is in behalf of the Rosenberg atomic spy co-conspirator, Morton Sobell, now serving the tenth year of a 30-year prison sentence.

The pro-Communist press, in urging participation in the Washington propaganda stunt, denounced the U.S. for releasing David Greenglass from prison.

Freedom for the cooperative Greenglass, it was contended, proved the Government was treating Sobell in a "brutal and vindictive" manner.

Some vital facts not mentioned by the pro-Red "National Guardian":

Greenglass didn't get any of the special privileges sought for Sobell. Greenglass was not paroled. He will have served his full time, less time off for good behavior, when prison gates open next Wednesday.

Taking note of recent debates on the state of U.S. prestige, the paper that suggested Christmas clemency for Sobell would be the best way to "restore



LOTTO

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the image of a nation that cherishes its traditions of justice and mercy."

Chief sponsor of the Washington rally: The National Committee to Secure Justice for Morton Sobell.

This group has been officially cited as a Communist front.

Committees in New York, Los Angeles, San Francisco, Chicago, St. Paul, Philadelphia, Milwaukee, Seattle, and Syracuse are making arrangements to transport delegations to Washington.

Sobell's wife, Helen, who is speaking at the rallies, has been identified as the former membership secretary of the Communist Party in the District of Columbia.

On Sunday, Nov. 20, the Rev. Alva Tompkins of the Olivet Presbyterian Church in Chicago will lead a sundown prayer at the White House gates.

Rev. Tompkins signed statements in 1959 and 1958 urging the abolition of the House Un-American Activities Committee. He also was among those urging clemency for Julius and Ethel Rosenberg.

The Chicagoan also signed petitions in 1959 to free two top national Communist Party bosses who had skipped bail. He participated in a 1958 Parole Dinner for the Communist leaders, Gil Green and Henry Winston.

A committee of clergymen will try to hand Mr. Eisenhower or his representative a petition for clemency, which claims Sobell's verdict "may suffer from prejudice or unreason."

All the courts up to the U.S. Supreme Court have refuted this baseless contention.

## A-Spy Sobell's Wife in New Plea to Ike

Washington, Nov. 17 (AP)—Mrs. Morton Sobell says she has a new petition with 600 signers urging President Eisenhower to free her husband, who has been imprisoned 10 years since his conviction in the Rosenberg spy plot.

At the same time, the "Committee to Secure Justice for Morton Sobell" announced plans for a gathering here this week end of people from all over the nation who are seeking Sobell's freedom.

Sobell, a radar expert, joined Julius and Ethel Rosenberg in denying guilt on the spy charges. All three were convicted. Sobell was sentenced to 30 years and the Rosenbergs were executed in June, 1953.

### Greenglass Freed

The key witness in the case was David Greenglass, brother of Mrs. Rosenberg, who pleaded guilty to helping steal U. S. atomic secrets which he said were passed on to the Russians. Sentenced to 15 years in prison in 1951, he was released yesterday with time off for good behavior.

Sponsors listed for the weekend gathering included: Dr. Reinhold Niebuhr and Dr. John C. Bennett of the Union Theological Seminary; socialist Norman Thomas and the Rev. Martin Luther King Jr.

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N. Y. Times

EDITION 2 (New York)

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FBI - NEW YORK

# SOBELL'S RELEASE IS SOUGHT BY 1,800

Lawyers and Clergy Appeal  
to President in Case of  
Espionage Conspiracy

By PETER BRAESTRUP  
Special to The New York Times.

WASHINGTON, Nov. 10—Some 1,800 lawyers, clergymen and educators joined today in two petitions asking President Eisenhower to release Morton Sobell, who was convicted nine years ago of conspiring to commit espionage.

The imprisoned man's wife, Mrs. Helen Sobell, said: "I really hope that we are moving into a more rational period."

She came here for a week-end meeting on her husband's behalf. The meeting, which was to include a banquet, drew 250 persons today at the Hotel Shoreham. The meeting included panel discussions of the Sobell case and the display of the two petitions, which were signed by 800 lawyers and educators and 1,200 clergymen.

Among the meeting's sponsors were:

The Rev. Martin Luther King Jr.; Dr. Reinhold Niebuhr and Dr. John C. Bennett of Union Theological Seminary; Roger Baldwin, chairman of the International League for the Rights of Man; and Norman Thomas, veteran Socialist party leader.

## Has Served Eight Years

Sobell, now 43 years old, was tried in 1951 with the atom spies, Julius and Ethel Rosenberg. He pleaded innocent. In the trial, he was not linked to the theft of atomic secrets, but was accused of conspiring to transmit secret information. The Rosenbergs were executed in 1953. Sobell is now in Atlanta Federal Prison, having served nearly eight years of a thirty-year sentence, six of them in Alcatraz.

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N. Y. Times

EDITION LATE CITY

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Mrs. Sobell has repeatedly appealed the case to the White House without success.

She has drawn growing support from persons who share her contention that Sobell's trial was unfair or feel that his sentence was excessive. Among these persons were representatives Randall S. Harmon, Democrat of Indiana, and William Meyer, Democrat of Vermont, and the late Senator William Langer, Republican of North Dakota.

Speeches urging Sobell's release were scheduled for tonight's banquet by Burns Chalmers, of the American Friends Service Committee, and the Rev. John Paul Jones, former

chairman of the New York Civil Liberties Union.

Professor Thomas I. Emerson of the Yale Law School, in an address prepared for delivery tomorrow, said that the jury's verdict in the Sobell case had reflected the "hysteria and pressures of the time."

Sobell, he said, should have been tried separately from the Rosenbergs because he was not accused of atomic espionage.

Professor Emerson cited the less-severe sentence given to David Greenglass, a key prosecution witness in the Rosenberg trial. Greenglass was released Wednesday after serving nine and one-half years of a fifteen-year sentence.

The trial of the Rosenbergs

and Sobell was held in Federal District Court in New York in March, 1951. The trial judge was Irving R. Kaufman.

At the trial Max Elitcher testified that Sobell and Rosenberg, former college classmates, had tried to get him to steal official armament data for the Soviet Union during and after World War II.

Mrs. Sobell said today that she and her supporters planned a prayer meeting in front of the White House tomorrow and visits to the Department of Justice and other Government offices on her husband's behalf on Monday. She indicated that the petition would be delivered to the White House on Monday.

# SOBELL RELEASE ASKED

200 Stage Protest March at  
The White House

WASHINGTON, Nov. 20 (AP) — Two-hundred persons demonstrated in front of the White House tonight, urging the release of Morton Sobell, who has been in prison since 1951 following one of the nation's best-known spy trials.

The march was the climax of a week-end of meetings aimed at winning freedom for Sobell, who was convicted as an accomplice of Julius and Ethel Rosenberg. The Rosenbergs were executed as atomic spies. Sobell was sentenced to

thirty years in Federal prison. A group of Protestant ministers recited prayers and biblical passages as the demonstrators marched back and forth along Pennsylvania Avenue.

At another end of the White House grounds, George Lincoln Rockwell and members of his American Nazi party carried on a counter-demonstration. Several dozen policemen stood by but no trouble was reported.

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## WHITE HOUSE GETS APPEAL FOR SOBELL

WASHINGTON, Nov. 21 (AP) --Clergymen urging the release of Morton Sobell took petitions today to the White House and the United States Pardon Attorney.

Sobell has been in prison since 1951, when he was convicted of conspiracy to commit espionage. He was tried with Julius and Ethel Rosenberg, who were convicted and executed as atomic spies. Sobell, who was given a thirty year prison sentence, pleaded innocent; he did not testify at his trial.

The appeal to President Eisenhower asked him to "use your great office to urge a new trial for Morton Sobell, or grant him clemency by commutation of his sentence."

The Rev. Ernest O. Martin of Washington, D. C., said that he and four other ministers had given a copy of the petition to the Rev. Frederic E. Fox, a special assistant at the White House.

Mrs. Eleanor Jackson Piel, a New York attorney, said that she and another group had given a copy of the petition to Reed Cozart, the Pardon Attorney.

The petition bore 1,500 signatures.

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# SOBELL IS 'HOPEFUL'

Wife Says Spy Expects to  
Get Christmas Release

Special to The New York Times.

ATLANTA, Nov. 23—Mrs. Morton Sobell visited her husband in the Federal penitentiary here today and reported afterward that he was "hopeful" of Christmas release from his term for conspiracy to commit espionage.

Mrs. Sobell said her husband had learned from prison newspaper clippings of appeals made last week in Washington to the President for his early release. She said they hoped President Eisenhower would grant "a Christmas amnesty, a Christmas miracle."

Her husband is serving a thirty-year sentence on charges of having conspired with Julius and Ethel Rosenberg. Mrs. Sobell said that, counting time during appeals, her husband had been in prison ten and a half years, but that the Justice Department reckoned that he would not have served the ten years to make him eligible for parole until, 1962.

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N. Y. *Times*  
EDITION *Late City*  
DATED *11-24-60*  
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# Clergymen Deny A-Spy Petition

Seven Long Island clergymen today denied signing a petition urging President Eisenhower to release convicted atom spy Morton Sobell from prison.

They were among 16 ministers and rabbis named as signers by the Rev. Peter McCormack of San Francisco, a Presbyterian minister for 50 years and Protestant chaplain at Alcatraz federal prison during Sobell's confinement there.

The appeal, according to Rev. McCormack, was signed by 1,200 of "America's most eminent ministers and rabbis."

THREE OF THE 16 clergymen named said they had signed the appeal or one similar to it. Six could not be reached.

A majority said they had received literature from a group called The Committee for Clemency for Morton Sobell.

McCormack's statement concerning the appeal came in the wake of a weekend of activities in Washington D.C. aimed at winning freedom for Sobell.

The former Flushing-Hillcrest radar engineer was convicted as an accomplice of executed spies Julius and Ethel Rosenberg. He is serving the 11th year of a 30-year sentence in Atlanta federal prison.

Two hundred persons demonstrated in front of the White House Sunday in behalf of Sobell.

A GROUP OF Protestant ministers recited prayers and biblical passages as the demonstrators marched back and forth along Pennsylvania Avenue.

Denying they had signed the appeal were: the Rev. A. Nelson Doak, Jackson Heights; the Rev. Elbert M. Parkhurst, Woodhaven; the Rev. Frederick Reustle, Richmond Hill; the Rev. John Dykstra, Locust Valley; the Rev. H. Paul Gulise, Wantagh; the Rev. Edward W. Levin, Freeport; and the Rev. William F. Houston, Huntington Station.

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N. Y. *Long Island Press*

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# Capital Circus

By JERRY GREENE

Washington, Nov. 28.—For the misinformed, the ignorant and the innocent there may be some excuse, but for others mixed up in the newest outburst of bleeding heart bleats to free the convicted spy, Morton Sobell, the government's anti-Commie experts can only wonder.

There are persons whose interests are clear, such as Mrs. Helen Sobell, the prisoner's wife, who once was membership secretary of the Communist Party here. What gets the professional staffs of Senate and House Commie-chasing committees, the FBI and other executive agencies vitally concerned with national security are the thousand preachers who signed the "Free Sobell" petition that Helen delivered to the White House last week.

Nor do the Red-hunters see what business it is of the old perennial British blabbermouth, Lord Bertrand Russell, who issued a statement saying: "I have never found any evidence pointing to the guilt of Morton Sobell and believe that he should never have been imprisoned."

The security people can only shake their heads in bewilderment when the Sobell affair attracts support of Dr. Harold Urey, the controversial atomic scientist and Nobel Prize winner, Dr. Reinhold Niebuhr of Union Theological Seminary and Prof. Thomas I. Emerson of the Yale Law School.



Morton Sobell  
*Red-chasers perplexed*

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N. Y. *News*

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Emerson was among a few hundred who descended on the capital 10 days ago and put on a three-day demonstration about injustice to this bum, who was lucky to get 30 years and not a death sentence (as did his co-conspirators, Julius and Ethel Rosenberg) for wartime espionage.

The delegates were supposed to have come from all over the country. They hired a hall in an expensive hotel. They went down to the White House gates and held a sunset prayer service, with ministers praying and reading the Bible while the pickets stalked around in deep mourning.

Some of them accompanied Helen and Sobell's 66-year-old mother, Rose, the next morning when they sought to leave the clergymen's petition with Mamie Eisenhower. A cop accepted it.

#### **Injustice? Three Courts Said "No"**

If Khrushchev and the Communist Party, U.S.A., have anything to say about it, this Sobell operation will be built up into another Tom Mooney affair or a Caryl Chessman-type case, intended solely to discredit this nation in the eyes of the world. The Reds couldn't care less about Sobell himself, who never amounted to much even as a spy.

Federal Judge Irving R. Kaufman of New York, back in 1956, nailed the brazen cry of injustice in denying one of the two Sobell motions for a new trial. Kaufman said the motions were "utterly lacking in merit" and were made solely to "embarrass and injure our courts and country." Kaufman was sustained by the Circuit Court of Appeals and the Supreme Court.

But here we go again, and since this smelly thing is now drawing attention of people who ought to know better, and because it stands ready to make full use of the inaugural confusion, it is well that a few facts be kept in mind.

Back of the movement now is the Committee to Secure Justice for Morton Sobell, familiarly known among security people as CSJMS. The committee lists offices at 940 Broadway, New York. There are no doubt some fine people on the fringes. This name has been used by the group since March, 1955.

#### **Two of 'Em Labeled Commie Fronts**

Records of its origin, support and such here are vague. But the files do mark the disappearance about that time of a Nation Committee to Secure Justice for Morton Sobell and show that this "national" organization was cited as a Commie front by the House Committee of Un-American Activities in 1954.

Before that there was the National Committee to Secure Justice for Morton Sobell in the Rosenberg Case. And this was begat by the National Rosenberg-Sobell Committee, which was the spawn of the National Committee to Secure Justice in the Rosenberg Case. That one also was cited as a front.

These Commies keep busier than the Book of Genesis with their begats, and the switch of a word or two in a name makes it, for their purpose, a pure, wholesome welfare society.

As for Sobell, now whiling away his time in the federal pen at Atlanta, there breathe few men in this country and none in Russia who have had as many cracks at justice. He had, with the Rosenbergs, 16 appearances in District Court; nine petitions to the Court of Appeals; nine to the Supreme Court; two applications for executive clemency and then the two new trial motions on his own.

#### **There Was Plenty of Evidence**

His committee screams that he never stole any atom bomb secrets, like the Rosenbergs. Nobody ever said he did. But there was undisputed evidence—that is, undisputed except by the Rosenbergs—that he gave Rosenberg "good material" for transmission to Russia; that he recruited one Max Elitcher into the Communist Party in 1939; that Elitcher, a Navy employee, was persistently approached by Sobell to obtain classified information.

Nor does the committee discuss why Sobell fled to Mexico after the arrest of David Greenglass, brother of Ethel Rosenberg. Greenglass turned government witness. He was released 11 days ago after serving his 15-year-sentence, less time for good behavior.

Some of the enthusiasts have a tendency to forget that 10 persons were involved in the Harry Gold-Rosenberg spy ring, including Anatoli Yakovlev, the boss. Yakovlev, the Rosenbergs and Sobell were named jointly in the conspiracy indictment, but the Russian, who directed the espionage as Soviet vice consul in New York, sneaked home before the storm broke.

Sobell, with his 30 years in Atlanta, was luckier.



**PRESIDENT EISENHOWER:**

There are 34 days to Christmas.  
Will you release MORTON SOBELL  
during the traditional Christmas  
amnesty period?

Rev. Milton Andrews  
Seattle, Washington

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# Petition and Prayer in Washington

Rousing the national conscience to  
free Morton Sobell

By IRENE PAULL

AT SUNDOWN, Sunday, Nov. 20, before the White House in Washington, hundreds walked in prayer for the release of Morton Sobell. Six members of the clergy including Rev. Kenneth Beck of St. Paul, Minn., the Rev. Milton Andrews of Seattle, Wash. and the Rev. Richard Gatchell of Palo Alto, Calif. read from the Psalms and from the Sermon on the Mount as the marchers shuffled silently through fallen leaves and passers-by stopped quietly to listen.

Although no rabbi was present at the prayer, Rabbi Jacob J. Weinstein of KAM Temple in Chicago and National Chairman of the Committee for Labor Israel, wired his regret that he could not be present, stating, "I remain steadfast in my conviction that Morton Sobell is innocent of the crimes charged against him . . . I pray that our country may prove mature enough to accept differences of political opinion, even radical difference from majority views, as a healthy safeguard of the democratic process and that we may speedily free ourselves from the evil influence of those who believe that an objectionable idea can be answered by imprisoning its advocate."

The prayer climaxed an extraordinary two-day conference that indicated the growing change in the climate of

public opinion. On the speakers' platform at the Saturday night banquet in Washington's beautiful Shoreham Hotel, Helen and Rose Sobell were flanked by such participants in the program as the Rev. John Paul Jones of Ashfield, Mass., a national board member of the American Civil Liberties Union and consultant to the U.S. delegation when the United Nations Charter was formulated in San Francisco; Thomas I. Emerson, Professor of Law at the Yale Law School and former special assistant to the U.S. Attorney General during the Roosevelt administration; Burns Chalmers of the Washington American Friends Service Committee, all accompanied by their wives; and the chairman of the evening, Stephen Love, Chicago attorney and a prominent Catholic.

On exhibit in the Green Room were petitions signed by 600 lawyers and educators and by 1,200 clergymen, among them 81 rabbis (see list on page 11). Throughout the banquet hall sat clergymen, many of them very young men, from many parts of the United States. The sponsorship of the meetings included the Rev. Martin Luther King, Jr.; Dr. Reinhold Niebuhr and Dr. John C. Bennett of Union Theological Seminary; Rabbi Jacob J.

Balfour Brickner of Washington; Roger Baldwin, Chairman of the International League for the Rights of Man.

Several rabbis had scheduled Friday evening sermons on the Sobell case as their theme for Thanksgiving. A delegation of ministers was to present the petition of 1,200 clergymen to the President on Monday. It was a far cry from 1953.

As the marchers at the sundown prayers before the White House moved through crumbling piles of autumn leaves, the street lights whitening the bony branches of November trees, the woman beside me asked, "Do you remember the last time we were here?"

It was June 19, 1953. The slowly turning sun was shining on the green lawns and flower beds of the White House, shortening by every second the doomed lives of the Rosenbergs. The pickets marched, silent before the taunts and provocations shouted at them by the crowd gathering on the mall. Time was measured off by passing cars loaded with American Legionnaires and men in uniform. They shouted racist and anti-Semitic curses and displayed signs announcing, "Four Hours to Go," "Three Hours to Go" . . . A counter picket line of sick crackpots led by a gaunt, wild-eyed little woman from Virginia pranced like witches in some macabre nightmare, carrying homemade signs like "Ship all the dirty Jews back to Russia," "Two fried Rosenbergs coming up," "Well dressed men smiled at them as they passed and patted them on the shoulders.

The booming voice of a policeman seven years ago split the pickets' ranks as he made way for an indignant, tight lipped woman carrying a camera. "Make way," he shouted as the woman looked about her testily, "Go ahead,

pictures you want. You got more right to be here than they got." The woman proceeded to photograph the beds of petunias on the White House lawn.

In a last effort to be heard a few minutes before the sun went down that evening in 1953, Manny Block, the Rosenberg's devoted lawyer, pounded on the White House gates. His eyes were black-ringed and wild. He looked like a man hunted by a pack of jackals as the gratekeeper pushed him back into the grasping arms of pursuing newspapermen. They snatched at him and as he leaped into a cab seeking a telephone to reach the deaf ears of the President, the pursuing pack leaped after him.

As the racist and anti-Semitic taunts then beat down upon us, it was a battle to keep our objectivity and our "long view." The Negro carrying the picket sign beside me had remarked bitterly, "When they frame a Negro, it's rape; when they frame a Jew, it's treason." I had a desolate feeling of isolation as if I had suddenly become a stranger in my own land. At eight o'clock applause and a cry of triumph from the crazy mob on the mall.

"No tears," a voice had exhorted us. "Don't give them the satisfaction." So tearless the picket signs went up as high as our arms could reach and tearless the signs came down for the last time. Helen Sobell spoke the final words of courage and consolation and the marchers dispersed on heavy feet to homes in Washington, New York, Philadelphia, Boston, Chicago, Detroit, Minneapolis, Los Angeles. And Helen, her soft eyes stark with agony, stood alone upon an unfamiliar street, in her own, an unfamiliar land, and the great iron gates clanged shut upon her life.

But now, at this great conference in Washington one knew for a certainty

Benjamin Adelman, Baltimore, Md.  
 Morris Aron, Detroit, Mich.  
 Max Aron, New York City  
 Shlomo Balter, Philadelphia, Pa.  
 Ben Zion Bergman, Burbank, Calif.  
 Samuel A. Berman, Jersey City, N.J.  
 Samuel Bernstein, The Bronx, New York  
 Morrison D. Bial, Summit, N.J.  
 Balfour Brickner, Washington, D.C.  
 Mordecai L. Brill, Dobbs Ferry, N.Y.  
 Herbert Bronstein, Rochester, N.Y.  
 Judah Cahn, New York City  
 Elias Charry, Philadelphia, Pa.  
 Jack J. Cohen, New York City  
 Jacob Cohen, Spring Valley, N.Y.  
 Benjamin Dinovitz, Baltimore, Md.  
 Joseph H. Ehrenkrantz, Stamford, Conn.  
 Shalom Leyb Eisenbach, Storrs, Conn.  
 Maurice Eisendrath, New York City  
 Morris Feldman, Orlando, Fla.  
 Morris Fishman, Margate City, N.J.  
 Samuel Fox, Dayton, Ohio  
 Emmet A. Frank, Alexandria, Va.  
 Edwin H. Friedman, Chevy Chase, Md.  
 Irving Ganz, San Diego, Calif.  
 Nathan Gaynor, Tonawanda, N.Y.  
 Lawrence J. Gerstein, Rutherford, N.J.  
 Moshe V. Goldblum, Middletown, N.Y.  
 Robert E. Gollburg, Hamden, Conn.  
 Israel Goldstein, New York City  
 Abram Vossen Goodman, Lawrence, N.Y.  
 Isadore Goodman, Memphis, Tenn.  
 Morris Gordon, Washington, D.C.  
 Simon Greenberg, New York City  
 Azriel Grishman, Duluth, Minn.  
 Louis D. Gross, Brooklyn, N.Y.  
 Avery J. Grossfeld, Wantagh, New York  
 Max Gruenwald, Millburn, N.J.  
 Simon N. Gumbiner, Berkeley, Calif.  
 Isidor B. Hoffman, New York City  
 Morton Hoffman, San Rafael, Calif.  
 Yitzhak Hoffman, Brooklyn, N.Y.  
 Philip Horowitz, Cleveland, Ohio  
 Joseph M. Hurwitz, Palm Springs, Calif.  
 Wollie Kaelter, Long Beach, Calif.  
 Solomon Kahn Kaplan, Philadelphia, Pa.  
 Daniel E. Kerman, Buffalo, N.Y.  
 Hugo H. Klein, Cleveland, Ohio  
 Isaac Klein, Buffalo, N.Y.  
 Abraham Krantz, Greensburg, Pa.  
 Arthur J. Lelyveld, Cleveland, Ohio  
 Samuel S. Lerner, Hollywood, Fla.  
 Dr. Joseph Liberles, Chicago, Ill.  
 Herschel Lyman, Culver City, Calif.  
 Ephraim F. Mandelcorn, New York City  
 Morris Max, Forest Hills, N.Y.  
 J. Milgrom, Richmond, Va.  
 Harry Nelson, Bridgeport, Conn.  
 Kenneth Rivkin, New York City  
 Michael A. Robinson, Pomona, Calif.  
 Sanford E. Rosen, San Mateo, Calif.  
 Moses Rosenthal, Suffern, N.Y.  
 Michael S. Sanders, Baltimore, Md.  
 Stephen A. Schafer, Toledo, Ohio  
 Maurice H. Schatz, Huntington, N.Y.  
 M. Schimmel, Studio City, Calif.  
 Jordan H. Shepard, Medford, Mass.  
 Henry Leon Shwartz, Orlando, Fla.  
 Henry F. Skirball, Chicago, Ill.  
 Alan Mayor Sokolin, Bloomfield, N.J.  
 Wilfred Solomon, Spokane, Wash.  
 Henry Swadlow, New York City  
 Charles W. Stuekel, Pasadena, Calif.  
 David J. Suskind, St. Petersburg, Fla.  
 Herbert David Teitelbaum, Redwood City, Calif.  
 Max D. Tickin, Madison, Wis.  
 Aaron Walden, Baltimore, Md.  
 Jacob J. Weinstein, Chicago, Ill.  
 Joseph A. Weisenbaum, Dayton, Ohio  
 Stanley Yetwah, Lakewood, N.J.  
 John J. Zucker, San Leandro, Calif.

that Helen Sobell was no longer alone. The six Protestant ministers who stood with their heads uncovered before the spreading tree in front of the White House reading the Hebrew Psalms, more than offset the prancing shadows half a block away on the night of the sundown prayer. Rockwell and a group of his American Nazis gyrated rapidly in a narrow circle like Macbeth's witches brewing poison. Among their

placards were these: "The Gas Chamber for Jew Spies & All Spies," "Kennedy is in—Greenglass is out" and "Keep the Jew Traitor, Morton Sobell, in Jail."

Their presence was ominous, but the climate of our land had changed.

I had heard Stephen Love when he first entered the Sobell case years ago. But in this chairman of the Saturday night banquet there was an entirely

different man. The man spoke this cause through the route of his intellect. I knew him now, an older man, deeply shadowed, who spoke with a profound personal identification with the sufferers in this drama.

There was a new dimension in depth as he expressed with tenderness his admiration and regard for "the Sobell women." His voice had a ring of emotion as he cried, "People say, 'even if he is guilty.' He's not guilty! Of that I am absolutely sure. I have been practicing law for 49 years. I've tried a great number of cases and I have read this 2,800 page record a dozen times and I'll tell you that I would argue this matter with anyone and convince anyone. It isn't only a question of Sobell's being incarcerated too long. It's a question of his being incarcerated at all!"

When a packet containing \$100 was sent up to him during an appeal for funds, he looked at the audience and with a moving gesture said, "Look, here's a hundred dollars from a lady who couldn't come. Just a lady called 'Sylvia.' There are a lot of good people in this world, aren't there, really?" Spontaneously he asked the audience to join in a prayer. "I'm not a minister," he said, "I'm not a priest, although I'm a man of that faith, but as Thanksgiving approaches we ask you to put in the hearts of men the light to see that justice and right prevail. We thank you, God." And having delivered this simple prayer, he left the meeting to make a radio broadcast for Sobell while the crowd rose in ovation for him.

The Rev. John Paul Jones is a man of great dignity of bearing, tall, white haired, with a trace of Harvard in his voice. After completing his formal speech on the note: "The release of Morton Sobell could be a work of

justice and compassion," he spoke extemporaneously to relate an incident that occurred on the Sea Beach subway Express from Brooklyn not long ago.

The subway stopped at 36th Street and a woman, evidently a stranger to the city, found the door slammed shut in her face before she could get out at her station. With fierce determination she put her right hand through the door and pushed in an effort to force it open. As a minister of the gospel, he said, he felt it his duty to be of service so he rose and informed her that it was impossible to force open a subway door once the operator way in the center of the train someplace has pressed the button. "The woman," said the minister, "paid absolutely no attention to me and continued to tug at the door with all her might. Again I adjured her, 'My good woman, please believe me. I understand the subway system, and it is literally impossible to reopen this door.' But she put both her hands in the doors and pushed with all her strength. The doors flew open, the woman walked out, and the doors slammed shut again.

"Everyone laughed. Not at the woman. At me. I was technically right, of course. She couldn't open that door. It was technically impossible, but practically she did get out." The crowd roared its appreciation at this tribute to Helen Sobell's tenacity of purpose.

At the conference the following day Prof. Emerson gave a careful, lawyer's presentation of the case, concluding that "injustice has been done to Morton Sobell." He named many prominent people who had reached a similar conclusion, including Bertrand Russell, who had sent a wire to the Conference expressing his belief in Sobell's innocence.

In answer to a question from the audience as to why, if the legal facts



*Mother Rose Sobell and the Rev. Richard H. Gatchel of Palo Alto, Calif., lead 200 in sundown prayer at White House for Morton Sobell's freedom.*

are so clear, lawyers and clergymen cannot storm the Justice Department with these facts, he replied, "The Morton Sobell case is not just a question of law. One can't depend too much upon the legal process. Because what can be done depends so much on the whole tone of the society in which we live."

The Rev. Milton Andrews, a young Methodist minister from Seattle, was chairman of the afternoon meeting. In taking up the collection he smiled, "I ask you to involve yourselves that you may be spared the paralysis of subversive inactivity."

*Helen Sobell*, beautiful as always in her self possession and poise, read a letter from Morton: "I wish I had some feeling of the Washington meeting. It's all so distant . . . another planet, another person, another time. Here? Me? Now? Only because you say so. Sure I'm preparing myself for the day of liberation, and yet within my heart I cannot feel it as such. It is only with the intellect. This is not enough."

"Yet, what can I do? To instill the spirit within my being after it has been beaten and eviscerated? Time after time? I'm afraid I can't. Not any more. From here on it will be purely of the mind. The mind will do

my hoping for me . . . the heart will simply pump the blood into the body like it's supposed to. Yet this is not true. It only seems so. I don't despair. I still hope to come while Mark is but a child and you, my love, a young woman. This is firmly entrenched within every fibre of my living being and nothing can eradicate it . . . except death. Thus I really do hope with all. Only I dare not allow myself to believe this too much."

It would have encouraged Morton if he could have spoken to some of the people who attended the conference, Americans we have never been able to reach before. Here was a young public relations man who was invited to come by an acquaintance. It was his first contact with the case and he came, he said, simply to find out what it was all about:

"I wanted my girl friend to come with me but her mother didn't want her to because this case is controversial. When she said that, I was determined to come because where there's fear you can be sure there's going to be injustice. I hate injustice because I'm an American dating back to the fight against King George. You have to believe that injustice can be conquered. You have to keep believing. The minute you stop believing, you begin to die."



# ISRAEL

**Medical research** in Israel has contributed to an understanding of one of the major health problems of Egypt, the tropical disease "West Nile Fever." The results have presumably been made available to Egypt through an American research foundation which financed the project in Israel.

**Czechoslovakia agreed** in Oct. to supply documents to Israel pertaining to Adolf Eichmann, number one executor of Hitler's extermination campaign against the Jews, who goes on trial in Israel March 6. East Germany and Poland will also forward documentary material to Israel for the trial; and the Mapai Yiddish paper *Letzte Naies* reported Oct. 26 that the Soviet Union would do likewise.

**Israel neither progressed nor retrogressed** in 1960 in its effort to achieve economic independence, according to an address by Bank of Israel President David Horowitz in Tel Aviv in Oct. While Israel production will rise by 400 million Israel pounds and exports by 20 per cent, he said, this gain will be cancelled by an increase in imports. Horowitz expressed grave concern over the implications of this situation for the future of Israel economic independence. A report by the Bank of Israel a few weeks later stated that the trade deficit (excess of imports over exports) is constantly growing. The rise in production over the previous year was 11 per cent, said the report, mainly in industry and much more slowly in agriculture; but the rise in consumption was also 11 per cent. While the export total rose by 25 per cent over the previous year, the prices paid for these goods was so much lower that the real growth in income from exports was only 18 per cent.

**Of 26 daily newspapers** published in Israel, eight are in languages other than Hebrew: English, French, German (two), Hungarian, Polish, Romanian, Yiddish and Arabic. The last-named is published by the Histadrut. All the Hebrew dailies except four are party organs; five of the non-Hebrew papers are Mapai papers and the remaining four (Yiddish, German, two, and Hungarian) are independent. (Other information reveals that the Yiddish daily, *Letzte Naies*, was recently bought and changed its policy to a Mapai orientation, while retaining its formerly independent editor, M. Tsanin, to execute the new policy.) ... The first issue of an English weekly tabloid, *Israel Star*, appeared

# After the Speech, Crowds Hail Kennedy, Their Chief Delegate

By PAUL HEALY

## Spy's Wife Pickets

Picketing in front of the UN Building as Kennedy passed was black-clad Mrs. Helen Sobell, 42-year-old wife of convicted atom spy Morton Sobell. Her sandwich board read: "President Kennedy, justice begins at home" and "Lenders of the free world, use your influence to free my innocent husband, Morton Sobell."

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N. Y. Times

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DATED 9/2/61

PAGE 2

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### MRS. SOBELL PICKETS

Asks With Sign Outside U.N.  
That U. S. Free Husband

Mrs. Helen Sobell picketed the United Nations yesterday with a sign urging that her husband, Morton, be freed from prison. He was sentenced in 1951 to a thirty-year term after having been convicted with the late Julius and Ethel Rosenberg of conspiracy to commit espionage.

Mrs. Sobell walked through police barriers at United Nations Plaza on First Avenue near Forty-third Street at 10:43 A. M. Policemen escorted her to a section at Forty-seventh Street set aside for demonstrations. A man walked behind her, handing out leaflets of the Committee to Secure Justice for Morton Sobell.

One side of the sign bore a plea to President Kennedy. The other side read: "Leaders of the world, please use your influence to free my innocent husband, Morton Sobell." She picketed the White House last week.

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## Wife Pickets White House for Sobell's Release

WASHINGTON (AP).

Mrs. Morton Sobell picketed the White House yesterday to plead for the release from jail of her husband, a convicted spy. She carried a sign contending her husband is innocent and appealing for his freedom on this "day of atonement," the Jewish Yom Kippur.

City police ordered her to move from the main gate leading to the White House grounds, and march farther down the street. They said regulations bar picketing at the main gate while a distinguished visitor is in the mansion. President Manuel Prado, of Peru, conferred with Mr. Kennedy at the White House this mornin.

Sobell was imprisoned in 1951 after being sentenced to thirty years for conspiracy to commit espionage. He pleaded innocent at his trial with Julius and Ethel Rosenberg, who were sentenced to death.

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## Sobell Freedom Sought

Mrs. Morton Sobell, wife of the convicted atom spy, pickets in front of the White House carrying a sign seeking her husband's freedom. Sobell lived in Rushing-Hillcrest at the time of his conviction. Mrs. Sobell was ordered to move from the main gate entrance because President Kennedy was conferring with Peruvian President Manuel Prado at the time. (AP Wirephoto)

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**MRS. SOBELL PICKETS**

**Asserts Husband's Innocence  
as Spy in Capital Protest**

WASHINGTON, Sept. 20  
(AP)—Mrs. Morton Sobell  
picketed the White House today  
to plead for the release from  
jail of her husband, a con-  
victed spy.

She carried a sign protesting  
her husband's innocence and ap-  
pealing for his freedom on this  
"day of atonement," Yom Kip-  
pur. City Police ordered her to  
move from the main gate lead-  
ing to the White House grounds  
and march farther down the  
street.

Sobell was imprisoned in 1951  
after being sentenced to thirty-  
years for conspiracy to commit  
espionage. He pleaded not guilty  
at his trial with Julius and  
Ethel Rosenberg, who were  
sentenced to death.

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## ...And the Justice of a Free Society

Our most dramatic answer to Khrushchev's "20-year-plan" is not a matter of economic gospel or production arithmetic. It is in the basic realm of freedom. For despite all his Orwellian double-talk, the Soviet premier holds out little prospect of a society in which both liberty and justice will prevail.

Yet we repeatedly miss the chance to underline the issue. We still submit to the excesses of inquisitorial Congressional committees. We still tolerate political blacklists. We keep on our books the infamous Smith Act, which penalizes advocacy rather than action. We jail men for inhumanely long terms if their crimes bear a political taint.

A case very much in point is that of Morton Sobell. He was an appendage to

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the Rosenberg case; the late Justice Jerome Frank seriously questioned the propriety of the circumstances under which he was prosecuted and asked that he be granted a new trial. Sobell has now served more than 11 years; in this interim many men have studied the record and have concluded that the severity of the sentence imposed was a direct result of his inclusion in the Rosenberg trial.

Dr. Sidney Hook, speaking last year for those who believe Sobell was guilty, but nevertheless believe he should be freed, added: "... we think that 10 years is ample sentence for what Sobell actually did and that, having served the 10, he should now be released. . . . In view of the fact that no atomic espionage was even alleged against him, and that the sole witness testified merely to unsuccessful attempts to procure information, we think that Sobell should now be released from prison."

We believe this reflects widespread sentiment among those who have conscientiously reviewed the case. Sobell's plea for executive clemency is now pending. It should be granted both because that would be an act of justice and because it is in its acts that the strength and grandeur of a free society is proclaimed.

*100-6-11-A-18*



# Love Story

MURRAY KEMPTON

Last April 5 began the eleventh year since Mrs. Helen Sobell sat in Federal Court and heard her husband sentenced to 30 years in prison for the crime of espionage.

Someone recollected the other day that, as she was leaving, a deputy United States Marshal came over to her, in an impulse of kindness, and said, "Look, dearie, take my advice. Forget him, change your name and find a job somewhere."

Morton Sobell's name and fate are, of course, bound up with that of Julius and Ethel Rosenberg, who died in Sing Sing at atomic spies. He was tried with the Rosenbergs, but the government never charged him with atomic espionage. His conviction will not be debated here, except to mention the irony that not even the government ever seems to have known just what military secret Morton Sobell stole.

It touched the conscience of an extraordinary group of persons, from Max Eastman to Bertrand Russell, from Senator Metcalf to Sidney Hook.

Many of these supporters believe that Morton Sobell must have been guilty of something. But they have all come to share the view that he has been punished past the limit of what a man ever crime he committed, and that he is now only the object of a vengeance even more cruel because its passion has passed.

CLIPPING FROM THE

N. Y. *Post*

EDITION

It may be hard for our children to believe, that ten years ago it was a common assumption that the Russians were so primitive in science as to be incapable of developing an atom bomb without stealing it from us.

Still there was a time when society believed that what we had to fear from the Soviets was not scientific competition but technical pilferage. In such an atmosphere the breaking of an unforgotten spy seemed a military necessity. Sobell was sent at once to Alcatraz, the maximum security prison for violent prisoners, and kept there for five years, off and on in solitary confinement. Still he professed himself innocent.

He would, one suspects, have been forgotten there if Helen Sobell accepted the deputy marshal's kindly advice that she forget. Instead, she has spent 10 years struggling for his release.

One of the worst aspects of being a prisoner is that you are cut off from the sight of private men. You communicate only with bureaucracies; you are the subject of regulations. Morton Sobell was in addition a man most of us had never seen. He had also been convicted of espionage which meant that most of the persons Helen Sobell had to approach would rather not think about him. Still she has, with her love and memory, worked a kind of miracle; she has carried his buried face about in public places, and she has

We have a new President and a new Attorney General, and there rises again the hope in Helen Sobell that one of all these different appeals may move them.

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That hope has reason to endure. The Sobells have earned it because they have demonstrated inviolable humanity. Not long ago Sobell set down his latest appeal for executive clemency. It was a document of dignity and resignation, and at great variance with the image of a man who could hardly have been handed so heavy a burden if a jury long ago had not believed him a Communist.

FORWARDED BY NY DIVISION

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"After over a decade of imprisonment, prison has become a way of life for me while the recollections of a past life have become distant visions akin to dreams. Thus, as punishment, prison is without meaning. For, like pain or hunger—or even joy—when continued for long periods it ceases to exist in the commonly understood sense . . . How could I convince—that I only aim to be a useful member of society?"

Yet someone sometime will be convinced, because Morton Sobell comes through after 10 years to us as human and not mechanical, a piece of flesh and not a case. And that miracle would not be possible if his wife had not enforced upon us the presence of his face.

*A19*

**On Your Guard:**

## Smear Artistry Pays Off

By JACK LOTTO

**M**ONEY, propaganda, money, propaganda, money, propaganda . . .  
Like a broken record, it goes on and on.

The pro-Communists keep pushing anti-American themes and collecting tax-free funds from their sympathizers and "patsies."

Smear artistry can be a profitable business.

For 10 years now, one group has been making derogatory charges about American justice and at the same time raked in close to a million dollars.



LOTTO

Its efforts centered around the executed atomic spies, Julius and Ethel Rosenberg. When the Rosenbergs, whose crime was described as "worse than murder," were executed, propaganda efforts swung around to their co-conspirator, Morton Sobell.

Sobell, now in the 11th year of a 30-year prison sentence, has been the focal point of a propaganda campaign by "The National Committee to Secure Justice for Morton Sobell." It has been formally cited as a Communist front by a Congressional committee in its report to the full Congress in 1956.

Despite this, they keep collecting plenty of money and pushing out their lies and enlisting dopes, dupes and do-gooders for their anti-U. S. propaganda.

In their latest drive to win a Presidential pardon for Sobell, they have been turned down by Deputy Attorney General Byron White. He told the committee clemency can be considered only if parole were denied.

Sobell, now in Atlanta Penitentiary, is not eligible for parole until next August. The committee, however, isn't going to let that stand in its way—just

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as it tramples on the truth to smear American justice.

Committee leaders from all over the country are meeting in emergency sessions in New York to go to work speedily on "an entirely new type of effort."

A letter from committee director Ted Jacobs summoned national bosses and outlined immediate steps to be taken to harangue the Administration and throw mud at our judicial institutions.

Jacobs also took a slap in the letter at the appointment of New York Federal District Judge Irving Kaufman to the U. S. Court of Appeals. He asserted "Kaufman's chief claim to fame is his death sentence of the Rosenbergs, a cruel act of hysteria which shamed us before the world. He is rewarded. Morton Sobell, an innocent man, Kaufman condemned to an outrageous 30-year sentence is condemned to further torment."

In a few weeks, according to plans, attorneys will start making new court motions to free Sobell or grant him a new trial. They may even claim he is sick and should be freed. Among the allegations expected to be aired are that he was kidnaped from Mexico by FBI agents, and that he had been framed on perjured evidence.

All this is old hat, which has been rejected repeatedly by the courts. But they will be trotted out nevertheless.

Naturally, the committee will start working on its sucker lists for "urgently needed funds" to take care of propaganda work and legal matters.

Even before the planning session got under way, the members of the committee were told in the letter—

"At once, you should call important persons in your city who have appeared previously, and ask them to write rejecting the Deputy Attorney General's letter as the President's final answer."



## Help Free Morton Sobell

For eleven years Morton Sobell has been imprisoned, a victim of the hysteria whipped up during the McCarthy era. He was railroaded on a flimsy charge of "conspiracy" to commit espionage. The state's case rested on hearsay evidence from witnesses tainted by perjury and under pressure to save their own skins.

During these eleven years the Committee to Secure Justice for Morton Sobell has worked valiantly to win his release. An impressive list of Notables and thousands of ordinary citizens now realize justice had not been done in the Sobell case. Numerous appeals for a rational & executive clemency have fallen on deaf ears.

Now the Committee working for Sobell's freedom announces that in view of the failure to gain a hearing for such appeals, it is taking direct action with public picket lines across the country.

In New York, the public is urged to join a picket line at the United Nations on Thursday, Nov. 16, between 3 and 5:30 p.m.

That appeal at the UN will be followed by a large gathering in Washington, D. C. at the White House. Special buses will leave from New York at 11 a.m. from the Sobell Committee office at 240 Broadway. The round trip fare is \$10, and the buses will return the same day.

Similar actions are being planned across the country. Contributions to support these actions may be sent to Committee to Secure Justice for Morton Sobell, 240 Broadway, New York, N. Y.

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N. Y. *Times* *militant*

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## AROUND THE WORLD

### AT HOME

Mrs. Morton Sobell picketed the White House Yom Kippur (Sept. 20) to protest denial of a clemency petition for Morton Sobell, in prison since 1950, serving a 30 year sentence imposed by Judge Irving R. Kaufman as part of the Rosenberg-spy hysteria. Sept. 25 she picketed the United Nations building in N. Y. when Pres. John F. Kennedy was addressing the General Assembly. The Attorney General's office Sept. 12, in denying the clemency petition of many thousands of Americans, including over 80 rabbis (see list, Jan. issue), merely suggested the petition could be renewed if Sobell is denied parole when he becomes eligible Aug. 4, 1962. In Atlanta Penitentiary, Sobell may require gall bladder surgery. The Committee to Secure Justice for Morton Sobell held an emergency conference Oct. 14-15 to plan extension of the campaign to effect his release. Fund may be sent to the Committee, 940 Broadway, N. Y. 10. Appeals for action on Sobell may be directed to Attorney General Robert F. Kennedy and the White House.

"Jewish Currents," November, 1961  
From the column "Around The  
World"; by Morris U. Schappas, page 45-

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# Law Training In World's Affairs Urged

Robert Kennedy At  
Fordham Dedication

By Charles Portis

Attorney General Robert F. Kennedy said yesterday at the Fordham University School of Law that "a more desperate emphasis" on public service is needed in the training of lawyers today.

Mr. Kennedy was guest of honor at the dedication ceremonies of the law school's new quarters at Lincoln Square, on 62d St., between Columbus and Amsterdam Aves. He received an honorary Doctor of Laws degree, presented by the Very Rev. Laurence J. McGinley, president of Fordham.

In the education of lawyers today, Mr. Kennedy said, there is "a compelling need for special competence in national and world affairs. . . . To 'muddle through' a crisis was once a democratic people's boast because it meant the least infringement on a cherished status quo. That self-indulgent day is done. There is no time now for confusion and no place for perpetuity."

## Draft for Mindpower

He said, "We have a selective service for manpower. But what about a selective service for mindpower. Is the system geared. . . with the thrust and triggers of present day-to-day adventures in diplomacy and decisive action?"

The other principal speaker was Benjamin A. Javits, a New York attorney and Fordham alumnus who is one of the major benefactors of the school. The new buildings will be named the Benjamin A. Javits Halls of Law. Mr. Javits is the brother of Sen. Jacob K. Javits, R., N.Y.

After the ceremony Mr. Kennedy was encountered on the street by Mrs. Morton Sobell, wife of the convicted spy, her son and daughter and about twenty pickets asking him for a personal hearing on Sobell's case.

She walked along beside him on Columbus Ave. for two blocks, and Mr. Kennedy advised her to "come to Washington like any other citizen and see about it. There are established ways of handling these things."

Sobell was imprisoned in 1951 and sentenced to thirty years for conspiracy to commit espionage.

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# Beg Bob Kennedy To Release Sobell

The wife and two children of convicted Soviet spy Morton Sobell trailed Attorney General Robert F. Kennedy for two blocks along a Manhattan street yesterday pleading for Sobell's release from prison.

"Please, Mr. Kennedy, my father is innocent. Please help us, please let my father go," begged Sobell's son Mark, 12.

Mr. Kennedy had just left Fordham University's new Law School building in Lincoln Center when he encountered a group of 20 sign-carrying pickets protesting Sobell's imprisonment.

The pickets, including the Sobells, rushed toward the Attorney General.

## IGNORED AT FIRST

At first, Mr. Kennedy ignored them as he strode along with a press aide and a city detective. Then he turned and called back to Mrs. Helen Sobell:

"Come to Washington where there are people everyone can see. You can go to them like every other citizen."

Sobell's stepdaughter, Sydney, 20, replied:

"We've tried to see you. We've tried for 11 years to get our father out of jail."

## UP FOR PAROLE IN 1962

Sobell, a former electronics engineer, is serving a 30-year sentence in the Federal Penitentiary at Atlanta for espionage. He was convicted in 1951 along with Julius and Ethel Rosenberg, who were executed. He will be eligible for parole next August.

Mrs. Sobell, carrying a sign proclaiming her husband's innocence, said to Mr. Kennedy: "I'm sorry to be persistent, but this is important to us. Life or death to us."

"Your lawyers have been very active," Mr. Kennedy replied. "Your husband was convicted and it was upheld. I fully concur in that decision."

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*Shen...*

## ROBERT KENNEDY HAILS LINCOLN SQ.

Speaks at Dedication There  
of Fordham Law School

By RUSSELL PORTER  
Attorney General Robert F. Kennedy said here yesterday that Lincoln Square was a "dramatic declaration" that the American way of life would continue, "multiple-megaton mechanisms notwithstanding."

Mr. Kennedy spoke at the dedication of the new Fordham University School of Law at Lincoln Square, where a cultural center is replacing a slum area on Manhattan's West Side. He received an honorary Doctor of Laws degree in a ceremony in the school's library that ended a two-day dedication program.

He said it was reassuring to see such buildings rise in the present world situation "when threats could pervade our every thought and fear our every action." The new law school shows that Americans have "the will and courage to go on," he said.

"This dedication proclaims that we will move ahead, and through its means and end product, be better bred, better led," Mr. Kennedy went on. "It seems the better Red than dead exercise in futility."

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N. Y. Times

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J. H. H. H. H.

#### Calls for Added Training

The Attorney General said more stress should be put on training lawyers for public service and administration to deal with the complex national and international problems of the nuclear age.

"To 'muddle through' a crisis was once a democratic people's boast," he said. "That self-indulgent day is gone. There is no time now for confusion and no place for perplexities."

Mr. Kennedy departed from his prepared text to comment on a previous speech by Benjamin A. Javits. The School of Law, the first building erected on Fordham's new midtown campus, consists of a main building and library wing, called the Benjamin A. Javits Hall of Law. They are named for the Fordham Law alumnus, who is a major benefactor of the school.

In his speech, Mr. Javits, a brother of Senator Jacob K. Javits, New York Republican, praised the Democratic Attorney General and his brother, President Kennedy.

Mr. Javits said he and his brothers were "admirers of the Kennedy brothers."

"I appreciate the kind words Mr. Javits said about the Kennedy brothers," the Attorney General replied, "but I've been traveling around the country lately, and I'm not sure that opinion is unanimous."

#### Tells Story About President

Mr. Kennedy also told a story of a man who said he "hated" President Kennedy and was admonished about it by the Very Rev. Laurence J. McGinley, president of Fordham.

"Don't you know the teachings of brotherly love?" asked Father McGinley.

"President Kennedy knows the teachings of brotherly love

and that's why I hate him," the man replied.

Father McGinley conferred the honorary degree on Mr. Kennedy, who wore an academic robe while he spoke. The ceremony was attended by 300 lawyers, judges and educators, religious, civic and business leaders, and public officials.

The school was picketed during the ceremony by persons seeking the release of Morton Sobell, who is serving a thirty-year term in Federal prison for conspiracy to commit espionage for the Soviet Union. His wife and two children were among the pickets.

When Mr. Kennedy left the building, the Sobells and other pickets followed, pleading for Sobell's freedom. Mr. Kennedy told them he concurred fully in Sobell's conviction.

## Sobell's Family Tries to Picket Kennedy Home

HYANNIS PORT, Mass. (AP.)

The family of Morton Sobell, who is serving a thirty-year prison term as a spy for Russia, tried to picket the Hyannis Port home of President Kennedy yesterday. Police turned them back a block and a half away.

Mr. Kennedy, here for Thanksgiving with his family, presumably was unaware of their presence. Sobell's mother, Rose; his wife, Helen, his son, Mark, and a daughter, Sydney Sobell Prindle, after failing to gain admission to the Kennedy compound, paraded in front of the Hyannis Port postoffice for two and a half hours. They carried signs saying Sobell is innocent and urging his release from prison.

Sobell was convicted along with Ethel and Julius Rosenberg, who were executed as atomic spies for Russia.

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N. Y. Times Herald Tribune

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Sheldon

# Kennedys & Friends, Lotsa Kids at Feast

By ROBERT THOMPSON  
of THE NEWS Washington Bureau

Hyannis Port, Mass., Nov. 23.—President Kennedy, surrounded by 27 members of his family and a few close friends (the childrens' contingent totaled 18), celebrated traditional Thanksgiving today in a huge New England house just 30 miles from the site of the original feast of 1621 at Plymouth.

From across the nation, members of the Kennedy clan converged on the home of their patriarch, former Ambassador Joseph P. Kennedy, on Nantucket Sound to munch Turkey, give thanks for the bounties of American life, and enjoy an annual family reunion.

## Pickets Turned Back

The President's day of relaxation was not even marred when the family of convicted atom spy Morton Sobell attempted to picket the area in which are situated the homes of the President: his father, Joseph, and his brother, Attorney General Robert Kennedy.

Sobell's wife, mother and two children were turned back at the Hyannis Port post office, one

block from the President's home. Sobell, who was convicted with atom spies Julius and Ethel Rosenberg, long has been the subject of a move for clemency.

## Junior Stayed Behind

Only two members of the President's family were missing.

One was John Jr., who was reported improving from the slight cold he suffered yesterday. The infant, who remained at the White House, may be flown to Hyannis Port later for his first birthday on Saturday.

Also missing was Kennedy's brother-in-law, actor Peter Lawford, who is in Britain.

Dining with the Kennedys were Navy Undersecretary and Mrs. Paul Fay. The Fay's three children joined 15 Kennedy youngsters at dinner in the big house.

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(Associated Press Wirefoto)

Morton Sobell's family pickets President Kennedy at Hyannis Port post office. They are (l. to r.) Sobell's daughter, Mrs. Sidney Pringle; his son, Mark; his mother, Rose, and his wife, Helen.

**On Your Guard:**

## **Reds Dupe 'Instant Pickets'**

By JACK LOTTO

**B**EWARE of the "instant picket line." It's a nasty little "game" dreamed up by the pro-Communists. If you're not careful, you could be targeted.

Here's how it goes. You may be walking along the street in your home town, minding your own business. As you pass a Federal building or post office, someone may thrust a picket sign in your hand. It might be some literature, or an American flag, or a petition. You may hear a shout like "Picket for freedom."



**LOTTO**

You may or may not join in the "fun." You'll see others and perhaps figure it's some kind of joke or fraternity stunt. Others will already be picketing in front of the Federal building. Many will be deliberate participants in the picketing, some unthinking demonstrators, who just want to help others. Possibly a few will be engaged in the propaganda affair just for the lark.

Don't make that mistake. The picketing idea is no joking matter for a major pro-Communist front behind the demonstrations. They are dedicated to smearing American justice and trying to pressure the government into freeing the executed Rosenberg spy co-conspirator, Morton Sobell.

The group behind the nationwide picketing program is the National Committee to Secure Justice for Morton Sobell.

It has been officially cited as a Communist front.

The committee went through a test of the new strategy in an appeal be-

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fore the United Nations on Nov. 16. Anti-American propaganda is international, and such stunts, ranting against supposed frameups at the world organization, are grist for the global propaganda mills.

The key slogans being used are "unjust imprisonment" and the old standby, "frameup."

All the courts, up to the U. S. Supreme Court, have repeatedly rejected such phony claims for Sobell, now serving the 11th year of a 30-year sentence.

The White House will also be the scene of more elaborate demonstrations. The pro-Reds are running in buses from many sections of the country for an action geared to win attention from the nation's press.

The affair is scheduled for tomorrow at the White House gates.

This is a repeat performance of a protest "vigil" staged last November by some clergymen who made spectacles of themselves in behalf of Sobell.

Sobell's wife and children will be brought into the act, too. That's the old emotional appeal at work.

Aside from trying to get the public to participate in the coast-to-coast demonstrations before U. S. Government buildings and post offices, the pro-Reds have another important goal.

They want the public — meaning you — to donate generously to their war chest. The slogan dreamed up by the committee for this year —

"Give a day of your life."

The group thinks the general public can be conned into donating a day's pay for their efforts, or to help out for a day on picket lines, or distributing petitions for the likes of Sobell.

Pickets Ask Sobell Be Freed  
WASHINGTON, Nov. 21  
(UPI) — Nearly 100 pickets  
marched outside the White  
House today calling on Presi-  
dent Kennedy to free Morton  
Sobell, who was sentenced to a  
thirty-year term following his  
conviction eleven years ago of  
conspiracy to commit espionage.  
Sobell is scheduled to undergo  
surgery in the Atlanta Federal  
Penitentiary hospital this week.  
His wife and two children were  
among the pickets.

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N.Y. Times

EDITION 1st

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Shinden

## Plans White House Kneel-In for Sobell

Boone, N. C., Dec. 12 (AP)—  
A North Carolina minister plans  
a non-violent "kneel-in" at the  
White House in Washington to-  
day to dramatize his efforts to  
free Morton Sobell, the scientist  
convicted in 1951 of aiding in  
the theft of American atomic  
secrets.

The Rev. David Andrews, 37,  
now director of the Methodist  
Center at Appalachian State  
Teachers College in Boone, said  
he would kneel at a White  
House gate, risking arrest "to  
symbolize the widespread con-  
cern that the many injustices  
against Morton Sobell be righted  
by his immediate release."

Andrews will be accompanied  
by members of Sobell's family.

"If I am arrested," he said,  
"I will cooperate willingly with  
the arrest."

CLIPPING FROM THE

N. Y. Times

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**-PLEADS FOR SOBELL**

Minister Is Arrested in Front  
of the White House

WASHINGTON, Dec. 12  
(AP)—The Rev. David An-  
drews, 37-year-old North Caro-  
lina Methodist minister, knelt  
today in front of the White  
House, seeking clemency for  
Morton Sobell, who is in pri-  
son.

Mr. Andrews was arrested  
and charged with obstructing  
the sidewalk after he had ig-  
nored instructions by the police  
to move on. Picketing is per-  
mitted in front of the White

House only if the pickets keep  
moving.

Sobell is serving a thirty-  
year prison term for conspiracy  
to commit espionage. He was  
convicted with Julius and Ethel  
Rosenberg, who were executed  
as atomic spies.

Mrs. Sobell and her 12-year-  
old son, Mark, were picketing  
near by when the minister  
staged his demonstration. They  
protested his arrest but the  
police directed them to "do  
what you're told or you'll go  
with him."

The mother and son resumed  
their march in front of the  
White House. They carried signs  
calling on President Kennedy to  
release Sobell.

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*Thurston*

## Minister Kneels At White House, Is Arrested

WASHINGTON, (AP) — The Rev. David Andrews, thirty-seven-year-old North Carolina Methodist minister, knelt yesterday in front of the White House, seeking clemency for imprisoned Morton Sobell.

He was arrested and charged with obstructing the sidewalk after he had ignored police instructions to move on. Picketing is permitted in front of the White House only if the pickets keep moving.

Sobell is serving a thirty-year prison term for conspiracy to commit espionage. He was tried in connection with the case of Julius and Ethel Rosenberg, who were executed as atomic spies.

Mrs. Sobell and her twelve-year-old son, Mark, were picketing nearby when the minister staged his demonstration.

The minister, director of the Methodist Student Center at Appalachian State Teachers College, Boone, N. C., faced the White House, knelt on the pavement and clasped the iron picket fence with both hands. He told reporters that his expenses to and from Washington had been paid by the Committee to Obtain Clemency for Morton Sobell. He said that if he was taken to jail he would not seek bond.

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N. Y.

*Herald Tribune*

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**Red Spy Mercy Bid**  
Washington, Dec. 12 (AP)—  
The Rev. David Andrews, 37,  
North Carolina Methodist min-  
ister, knelt today in front of the  
White House, seeking clemency  
for the imprisoned Morton Sobell.  
He was arrested and charged  
with obstructing the sidewalk.

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N. Y. Daily News

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*[Signature]*



**Arrest Minister 2d  
Time at White House**

WASHINGTON (AP).

The Rev. David Andrews, persisting in his campaign to free atomic spy Morton Sobell, was arrested a second time yesterday while kneeling in front of the White House.

This time he was picked up after being warned that it was illegal to "preach and exhort" in public without a permit. Police told him he could apply for a permit if he wished to pray aloud on the sidewalk. But he told them he would go ahead with his plans, and knelt with an open Bible in his hands. Mr. Andrews was convicted of making a speech without a license. Judge Milton S. Kronheim Jr. fixed the sentence at two hours in jail or a \$5 fine, but noted that Mr. Andrews already had been in custody for two and a half hours and ordered him released.

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*Herald Tribune*

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*Thompson*

# PLEA MADE FOR SOBELL

Minister Posts \$10 Bond for  
Picket at White House

Special to The New York Times.  
WASHINGTON, Dec. 17 —  
The Rev. Donald S. Harrington  
of the Community Church, New  
York, expressed hope today for  
"speedy commutation" of the  
thirty-year sentence being  
served by Morton Sobell for  
conspiracy to commit espionage  
on behalf of the Soviet Union:

Mr. Harrington made the  
comment in posting \$10 bond  
for another minister, the Rev.  
James D. Andrews, who was  
arrested for kneeling in front  
of the White House. Mr. An-  
drews, of Boone, N. C., was  
part of a group picketing for  
Sobell's freedom.

The pickets spent yester-  
day afternoon and today in  
front of the White House. Mr.  
Andrews was arrested when he  
left the group, knelt next to  
the fence and refused to move  
on at a police order.

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N. Y. Times

EDITION late city

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# Sobell Moves In Court Again To Be Set Free

By HENRY BECKETT

Morton Sobell petitioned again today for his freedom—this time on the grounds that it has never been proved he spied for the Soviet Union during World War II.

Sobell, sentenced in 1951 to 30 years in prison, asked the U. S. District Court here either to set aside the sentence and free him, or to grant him a new trial, or to set aside the "illegal" parts of the sentence so that he would be eligible for parole.

Charging his conviction was "unjustly, unlawfully and illegally procured," Sobell said the federal trial judge, Irving R. Kaufman, neglected to tell the jury the meaning of the term, "in time of war."

This term in the indictment charging Sobell gave valuable information to the Soviet Union, as crucial, he said, because the major testimony pertained to the period after the war had ended.

## Karole Dun, He Says

Sobell, who was convicted of conspiracy to commit "wartime espionage," said no one testified that he gave the Soviets any material during the war. The maximum sentence for espionage committed in peacetime is 20 years, he said, and if this sentence had been imposed, he now would be eligible for parole.

Sobell was convicted with Julius and Ethel Rosenberg, later executed for their roles in the espionage. Representing him in his petition, the latest of several he has filed to set aside the verdict, was this law firm of Donner, Peillon and Piel, 342 Madison Av.

In his petition Sobell also charged it was "constitutionally impermissible" for Judge Kaufman to permit the prosecution to question Mrs. Rosenberg on why, at the trial, she answered questions on which she invoked the Fifth Amendment before a grand jury.

## Testimony 'Crucial'

Mrs. Rosenberg's testimony was crucial, said the petition, because she directly contradicted the testimony of Max Elitcher, a confessed prisoner and the only witness to accuse Sobell of having had a part in the conspiracy. Her credibility, the petition said, was "effectively destroyed" by the questions.

Sobell, now in the Federal Penitentiary at Atlanta, Ga., asked permission to attend the hearings on his petition.

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N. Y. POST

EDITION LATEST STOCK PRICES

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EDITOR: JAMES WECHSLER

RE: THE COMMITTEE TO SECURE  
JUSTICE FOR MORTON SOBELL  
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*Shawman*

**FREEDOM OR RETRIAL  
SOUGHT BY SOBELL**

A motion for freedom or a new trial for Morton Sobell, who is serving a thirty-year sentence for conspiracy to commit wartime espionage, was filed yesterday in Federal Court. It will be argued on Jan. 15.

Sobell was convicted in 1951 with Julius and Ethel Rosenberg, who were executed for stealing atomic secrets for transmission to the Soviet Union. Sobell, now 44 years old, has served twelve years of his sentence. He is in the Federal Penitentiary in Atlanta.

Sobell contended in his petition that his conviction had been obtained in violation of his constitutional rights. He said that Judge Irving R. Kaufman, who presided at the trial, did not have the power to impose a wartime sentence of thirty years.

He contended further that the trial was unfair because, although the indictment charged a wartime conspiracy, Judge Kaufman failed to explain the meaning of the term "in time of war" to the jury and failed to charge the jury that to convict Sobell it had to find he had committed an offense in wartime.

CLIPPING FROM THE

N. Y. Times

EDITION Late City

DATED 1-4-62

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*Shirley*

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## **Sobell Again Asks Freedom**

Morton Sobell, having served ten years of a thirty-year sentence for espionage, yesterday petitioned in Federal Court for his freedom or a new trial. He was convicted in 1951 with Julius and Ethel Rosenberg, put to death in the electric chair in 1953.

Sobell is in the Atlanta Federal Penitentiary. He petitioned the court through the law firm of Donner, Perlin & Fiel, of 342 Madison Ave. He alleged that his trial was "unfair" and that Judge Irving R. Kaufman, who conducted the trial, charged the jury improperly. It was the latest in a series of such petitions. Argument was set for Jan. 15.

CLIPPING FROM THE

N. Y. World Tribune

EDITION late city

DATED 1-4-62

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## **Sobell Files**

### **Another Appeal**

Convicted spy Morton Sobell yesterday launched another of many attempts to win freedom from a 30-year sentence or get a new trial.

In papers filed in Federal Court, Sobell claimed his 1951 conviction was obtained in violation of his constitutional rights and was unfair in other aspects.

CLIPPING FROM THE

N. Y. Mirror

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### Sobell Will Get Hearing Jan. 15

A hearing has been set for Jan. 15 on the petition of convicted atom spy Morton Sobell that he be released from Federal prison pending a new trial.

Lawyers for Sobell, who is confined to the Federal Penitentiary at Atlanta, claimed judicial errors were made during his 1951 trial, depriving him of his constitutional rights. Sobell, sentenced to 30 years, was convicted along with Julius and Ethel Rosenberg, later executed on charges of conspiring to transmit atomic secrets.

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N. Y. *Journal American*

EDITION *7:15 P.M.*

DATED *1-4-62*

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*Minden 7/20/71*

# Sobell in 12th Year of Jail: Asks Freedom or Fair Trial

MORTON SOBELL, now in his 12th year of imprisonment and maintaining his innocence of the conspiracy to commit espionage charge on which he was condemned to 30 years, petitioned the Federal District Court last week for freedom or a new trial.

He charged that his conviction in 1951 was "unjustly, unlawfully, and illegally procured in violation of the Constitution and laws of the United States," and that trial judge Irving Kaufman was without power to impose a wartime sentence of 30 years.

Morton Sobell's attorneys set down Jan. 15 as the date for argument.

The petition, filed by the law firm Donner, Perlman and Piel, 342 Madison Ave., asserted that the trial was unfair for the following reasons:

1. Although the indictment charged a conspiracy "in time of war," Judge Kaufman failed to explain the meaning of the term "in time of war" to the jury and to charge the jury that to convict Sobell it had to find that he had committed an offense during wartime.

This is a crucial point because the major testimony against Sobell, in itself not even charging



-SOBELL-

any transmission of material, pertained to the period after the war ended in 1945.

The judge's basic error, Sobell's petition states, "deprived the jury of any standard by which it could find the petitioner guilty of the offense charged" and thereby constituted "a denial of petitioner's Constitutional right to be tried by jury and to due process of law."

2. Not only was the trial itself unfair, but the 30-year sentence,

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which can only be given if an offense was committed in wartime, was illegal. Since the jury did not have the opportunity to determine the facts, the judge was without power to arbitrarily invoke the maximum penalty of death or 30 years. The most the judge could have imposed under the law would have been 20 years. This would have made Sobell long since eligible for parole.

3. It was "constitutionally impermissible" for co-defendant Ethel Rosenberg to be cross-examined on her having invoked the privilege against self-incrimination before the grand jury as to the very same questions which she had answered in the trial.

The petition cites that the prosecution used this unconstitutional form of cross examination to attack the witness' credibility in the eyes of the jury, and that Judge Kaufman as the trial judge "not only participated in this mode of cross examination," but by his prejudicial and illegal comments "effectively destroyed the witness' credibility in the eyes of the jury."

Ethel Rosenberg's testimony was crucial to Sobell's defense since she directly contradicted the testimony of Max Elitcher, a confessed perjurer, who was the only witness to accuse Sobell of being in the conspiracy. Thus, the new court action, states, the prosecution and judge, "deprived Sobell of a fair trial."

The petition asks that a hearing be granted on the facts and issues, that Sobell be freed forthwith, or be granted a new trial. In the alternative, Sobell requests that the illegal portion of his sentence be set aside.

Sobell requests to be present at the hearing or other proceedings.

Although there have been previous legal appeals, the Supreme Court has never reviewed the case.

Many eminent Americans, including Dr. Reinhold Niebuhr, Nobel prize scientist Dr. Harold C. Urey, law professors Edmond Cahn of New York University and Thomas Emerson of Yale, Norman Thomas, and 1500 clergymen have questioned the trial and sentence. In addition, there have been numerous public actions in Sobell's behalf, including extensive picketing in front of the White House.

### MRS. SOBELL PICKETS

#### Stages White House Protest Seeking Release of Son

WASHINGTON, Jan. 10 (AP)—Mrs. Rose Sobell sat down in a driveway and blocked traffic at the White House today in a demonstration seeking the release of her son, Morton, convicted of conspiracy to commit espionage.

Policemen, aided by subfreezing temperatures, outlasted the 67-year-old woman. After forty minutes of "peaceful civil disobedience" in front of the White House she left.

Sobell is serving thirty years on conviction as a member of the spy ring that included Julius and Ethel Rosenberg. The Rosenbergs were executed for theft of atomic secrets for the Soviet Union, but Sobell was not linked to theft of atomic data.

Mrs. Sobell began picketing in front of the west entrance to the White House, a violation of the law since pickets are required to stay away from entrances. At one time she headed for the White House. Three policemen blocked her way.

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N. Y.

*Times*

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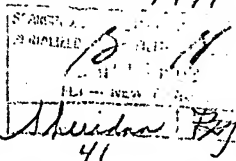
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SPY-CASE CONVICTION CALLED UNJUST AND UNLAWFUL

**Sobell files petition for release or new trial**

**M**ORTON SOBELL, now serving a 12th year of a 30-year sentence, entered a petition in Federal District Court in New York Jan. 3 for his release or a new trial. Sobell maintained that his conviction in 1951 on a charge of conspiracy to commit espionage was "unjustly, unlawfully and illegally procured in violation of the Constitution and laws of the United States."

The main points in the petition were:

1. Trial Judge Irving R. Kaufman failed to explain the term "in time of war" to the jury (a wartime conspiracy was alleged in the indictment) and to charge the jury that to convict Sobell it had to find that he had committed an offense during wartime. (The major testimony against Sobell dealt with the period after the war ended in 1945.)

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N. Y. *National Guardian*

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2. The jury did not have the opportunity to determine the facts; therefore the 30-year sentence imposed was illegal since death or 30 years is the maximum penalty only for an offense committed in wartime. Sobell said that the maximum sentence which could have been legally imposed in his case was 20 years. Such a sentence would have made Sobell eligible for parole long before the present date of August, 1962.

3. It was "constitutionally impermissible" for Judge Kaufman to permit the prosecution to question co-defendant Mrs. Ethel Rosenberg as to why she answered questions at the trial which she had refused, on Fifth Amendment grounds, to answer before a grand jury. The petition stated that Mrs. Rosenberg's testimony was crucial to Sobell's defense since she

directly contradicted the testimony of confessed perjurer Max Elitcher, who was the only witness to accuse Sobell of a part in the "conspiracy." The petition charged that Mrs. Rosenberg's credibility had been destroyed by the unconstitutional cross-examination and by the judge's comments.

ARGUMENT JAN. 15: Sobell's petition seeks a hearing on the facts and issues, his immediate freedom, or a new trial, or the setting aside of the illegal portion of his sentence. Sobell, now in the Federal penitentiary at Atlanta, Ga., has requested permission to attend the hearing. Argument was set for Jan. 15.

Throughout his trial and imprisonment, Sobell has maintained his innocence.

## Mrs. Sobell Leads Pickets In Plea to Free Husband

Cleveland, Jan. 17 (AP)—Mrs. Morton Sobell picketed the federal building here yesterday in her campaign to gain freedom for her husband, who is serving a 30-year term in the federal prison at Atlanta for conspiring to commit espionage.

She led a small contingent of Sobell sympathizers in a demonstration sponsored by the Committee to Secure Justice for Morton Sobell, of which she is chairman. The stop here was part of a tour of major cities sponsored by the committee, which has headquarters in New York.

Sobell, a radar and electronics

expert formerly with the Navy, was convicted in 1951 with Ethel and Julius Rosenberg, both of whom received death sentences.

The Sobell case is currently before the U. S. District Court in New York on new motions charging violation of Constitutional rights and an illegal sentence.

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By INEZ ROBE

# The Sobell Case—Again

ONCE more across the desk of this hard-hearted Hannah there is flowing freshet of so-called literature from the so-called Committee to Secure Justice for Morton Sobell.

The only surprising aspect of the matter is the committee's persistence in sending its hoked-up, hysterical stuff to one who believes that justice was done Morton Sobell when he was tried with the Rosenbergs and sentenced to 30 years in prison.

The newest pitch in this case, the darling and the special project of the American Communists, is an appeal—by the above committee—to President Kennedy. The Chief Executive is exhorted either to (1) grant immediate freedom through executive clemency or (2) commute Sobell's sentence.

Sobell, now in the United States prison at Atlanta, Ga., comes up for parole on Aug. 4 of this year. If the Federal Parole Board of the Bureau of Prisons at that time believes that Sobell has paid his debt to society, well and good. It is a decision by which Americans could and would abide.

But the idea that Sobell should be the recipient of executive clemency or a White House commutation of sentence on the grounds that American justice railroaded him, an innocent man, into prison is more than this citizen can stomach.

That classic Communist tactic, i. e., the party effort to smear American justice and jurisprudence, to cast doubt upon its honor and honesty and to attempt to destroy, in the public mind, the reputation of American courts, has been relentlessly pursued by this so-called Committee to Secure Justice for Morton Sobell.



Inez Robb

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N. Y. WORLD TELEGRAM

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EDITOR: LEE B. WOOD

RE: THE COMMITTEE TO SECURE  
JUSTICE FOR MORTON SOBELL  
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BUFILE 100-387835

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The same inspired assault on the courts was made during and after the Hiss trials. It was the party line then and now to charge the United States government with manufacture of a typewriter to convict Hiss, a charge that didn't and couldn't hold water at either of Hiss' trials.

The latest four-page Sobell pamphlet, leading off with an appeal for executive clemency, is, like all others, based on an attack on American courts and American justice. And among those crying aloud in behalf of Sobell and against justice in the United States of America are Lord Bertrand ("I'd Rather Be Red Than Dead") Russell and France's Jean-Paul Sartre, among many others who were never near the courtroom during the Rosenberg-Sobell trial.

As a reporter I covered the Hiss and the Rosenberg-Sobell trials, both models of judicial procedure. Apparently the present administration leans to the same conclusion, since President Kennedy within recent months appointed to the U.S. Court of Appeals the judge who presided over the Rosenberg-Sobell trial, Judge Irving S. Kaufman.

Executive clemency for Sobell is only the first step in the Communist timetable. The real object is not simply to spring him from federal prison. His release by the President would merely trigger the movement already planned and ready to go into effect to rehabilitate the Rosenbergs.

If the Commie-directed effort to free Sobell by executive order could be realized, the party would immediately swing into a full-scale campaign to prove the Rosenbergs were victims of capitalist-imperialist justice. An even greater attack on American justice, courts and institutions would be mounted to discredit the United States in the eyes of the world. Sobell, really, is a side issue.

# MINISTER IS DISCIPLINED

Man Who Pleaded for Sobell  
Put on Leave of Absence

Special to The New York Times.

BOONE, N. C., Feb. 10—The Rev. David Andrews, who knelt in prayer at the White House last December in a clemency plea for Morton Sobell, a convicted spy, was relieved of his duties today as director of the Wesley Foundation at the Ap-

alachian State Teachers College.

Mr. Andrews was given a leave of absence, effective next Friday, with full salary. The leave will extend until the June meeting of the Western North Carolina Methodist Conference. The foundation's directors voted 12 to 1 for the action.

Sobell is serving a thirty-year prison term for conspiracy to commit espionage. He was convicted in 1951 with Julius and Ethel Rosenberg, who were executed as atomic spies.

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N. Y. Times

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7-10-1947  
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Sobell's Wife Is 'Heartsick' had been set free. Mrs. Sobell, LONDON, Feb. 11 (Reuters) arrived in London a week ago. Mrs. Morton Sobell said today to enlist support for a campaign she was "heartsick" that her urging President Kennedy to "innocent husband" was still in release her husband, who was in prison while the U-2 pilot, given a thirty-year sentence in Francis Gary Powers, and the New York atomic secrets Soviet spy, Col. Rudolph I. Abel, trial in 1951.

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N. Y. Times

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SCOBEL HILL EXPOSED define the term wartime and that, in fact, Sobell could not have been a member of any wartime conspiracy. It was

Counsel for Morton Sobell, further argued that Sobell's interest had been prejudiced by the cross-examination of a co-conspirator, Ethel Rosenberg, by the prosecutor and judge of the wartime, charged with Sobell and Ethel and Julius and Ethel had been denied a fair trial. He asked Judge John F. X. McConey to free Sobell or grant him a new charge, United States Attorney Robert M. Morgenthau said the Rosenberg were executed.

The lawyer, Marshall Perlman, argued that the trial judge, could not properly raise, serving R. Kaufman, in a judge McConey reserved the jury had said.

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N. Y. TIMES  
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EDITOR: JOHN B. OAKES

RE: THE COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL IS-C

BUFILE 100-387635

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## Sobell Says Judge Erred

Morton Sobell, now serving a thirty-year sentence for conspiracy to commit wartime espionage, argued through counsel in United States District Court here yesterday that he was unjustly convicted in violation of his Constitutional rights.

Judge John F. X. McGohery reserved decision on a motion for a new trial.

Sobell's contention is that

Judge Irving R. Kaufman, who presided at the 1951 trial, erred in his charge to the jury in using the phrase "in time of war" and in imposing the thirty-year sentence permissible in wartime. The government argued that the United States and Japan did not conclude a peace treaty until 1952.

Sobell was convicted along with Julius and Ethel Rosenberg, who were executed for their roles in the espionage case.

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N.Y. *Herald Tribune*

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*Morton Sobell  
New York*

From the wire services: "Morton Sobell, now serving a 30-year term for conspiracy to commit wartime espionage, argued through counsel in the U.S. District Court that he was unjustly convicted in violation of his Constitutional Rights."  
The irony of it. A convicted spy has Constitutional Rights while some Americans—because of their color and religious faith—are deprived of them.

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N.Y. Mirror

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## Sobell Loses His 6th Plea

For the sixth time, convicted atom spy Morton Sobell failed yesterday in Federal Court to get aside his verdict and win a new trial. He is serving a 30-year sentence in the Atlanta federal pen for conspiracy to commit wartime espionage.

Sobell, now 45, was convicted March 29, 1951, with Julius and Ethel Rosenberg, who were executed for their major roles in the espionage scheme.

Judge John F. X. McGohery denied Sobell's latest motions.

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N.Y. NEWS

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## Sobell Loses 6th Bid for New Trial

Morton Sobell, serving a 30-year sentence in Atlanta Federal Penitentiary for conspiracy to commit wartime espionage, yesterday lost his sixth Federal Court fight to set aside his conviction and win a new trial.

Sobell, convicted with Julius and Ethel Rosenberg—who were executed for their roles in the espionage scheme—argued that his conviction was unjustly obtained in violation of his constitutional rights, and that Federal Judge Irving R. Kaufman, who presided at the trial, was without power to impose a wartime sentence of 30 years. Judge John F. +. McGohey, in a six-page decision, denied the motion.

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N.Y. Mirror

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# SOBELL LOSES 6TH PLEA

Federal Judge Notes Long History of Appeals

The sixth appeal in Federal Court by Morton Sobell, convicted for the prior conducting thirty years for conspiracy of the co-conspirators. Ethel to commit wartime espionage and Julius Rosenberg, convicted was denied yesterday by Judge, ed with Sobell in 1951, were executed as atomic spies.

Marshall Perlin, Sobell's counsel, argued before Judge McGohney on Feb. 14 that Sobell had been denied a fair trial and that he should be freed or tried again. He contended that Sobell's interests had been prejudiced by the cross-examination of a co-conspirator, Ethel Rosenberg, by the prosecutor and

Judge McGohney, quoting from a legal source, said that "the rule is clear that one who joins an existing conspiracy takes it as it is, and is therefore held ac-

countable for the prior conduct of the co-conspirators." Ethel to commit wartime espionage and Julius Rosenberg, convicted was denied yesterday by Judge, ed with Sobell in 1951, were executed as atomic spies.

## CLIPPING FROM THE

N. Y. TIMES

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EDITOR: JOHN B. OAKES

RE: THE COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL IS-C

BUFILE 100-387835

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*Handwritten signature*

On Your Guard:

## Pro-Reds on the March

By JACK LOTTO

**T**RAMP, TRAMP, TRAMP, the boys and girls are marching—but for what?

Ask some questions and you get the answer that they want "Justice" for Morton Sobell.

Just who are these walkers? Who is behind their widely-publicized "Walks for Justice"?

Their picket signs read, "National Committee to Secure Justice for Morton Sobell."

They are a pro-Communist group dedicated to giving American institutions a black eye internationally, and also putting the bite on unknown Mr. and Mrs. Average American.

Sobell was the co-defendant of the executed atomic spies, Julius and Ethel Rosenberg. He is serving the 12th year of a 30-year prison term in Atlanta Penitentiary.

The chief public figurehead of the Sobell Committee is Mrs. Helen Sobell, wife of Morton. She is the former membership secretary of the Communist Party in the nation's capital.

The "Walks for Justice" must be paying off—in dollars. The committee, listed in the Congressional Guide to Subversive Organizations and Publications, is spending heavily, and has been for years, to spread its endless lies.

Well-organized coast to coast lecture tours, brochures, leaflets, picketing, advertising, breakfasts, dinners, testimonials, etc., are all part of the propaganda "smearfest."

Every action of the committee is



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N.Y. Journal American

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dedicated to getting stories in the general press and on television.

Thus, with increasing frequency, we see pictures in the non-Communist press of Mrs. Sobell picketing the White House with her children; ministers praying for Sobell at the White House gate; "silent vigils" in front of government buildings; picketing of Attorney General Robert Kennedy, and marches in front of Federal buildings and at the United Nations.

It is well to remember that every Federal court, up to the U.S. Supreme Court, upheld Sobell's conviction and repeatedly rejected legal contentions of alleged "frame-up," "perjured testimony" and "new evidence."

Mrs. Sobell recently returned from a tour of England, Italy, Sweden, Belgium and Holland, where she solicited international figures to support the campaign to win freedom for her husband. France refused to allow her to enter the country.

She headed protest demonstrations and "Justice Walks" last week on the West Coast. On March 23, she was in Berkeley, Calif. The next day, a meeting was held in San Francisco. The Los Angeles Federal Building was picketed on March 26. The Philadelphia Sobell Committee walked on March 31.

Today, Mrs. Sobell was scheduled to head a walking delegation going from Midtown Manhattan to the headquarters of the U.S. Mission to the United Nations.

It would have been simpler for Mrs. Sobell's group to mail their latest prison release petition to President Kennedy. But, of course, propaganda purposes are better served by doing the job the long way around.

Rosenberg memorial  
BRONX, N.Y.

On June 19 it will be nine years since Ethel and Julius Rosenberg were put to death despite their plea of innocence and appeals from all over the world. A ninth memorial service will be held at noon June 17 at the graves of the Rosenbergs, Plot C-12, Block 5, Wellwood Cemetery, Pinelawn, L.I. For information about transportation, call TO 1-1327 Bella Halebsky

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NEW YORK

"Never Let Them Change the Truth of Our Innocence"

—ETHEL and JULIUS ROSENBERG, June 19, 1953

**You are invited to join friends in keeping  
with that historic trust at the  
NINTH YEAR MEMORIAL SERVICE**

Sunday, June 17, at 12 o'clock noon

Wellwood Cemetery, Pinelawn, Long Island

Plot G-12, Block 5

For information regarding directions and transportation  
call:

CELLA HALEBSKY, TU 1-1327 — Mornings 2-12; Eves. 6-8

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—The Sobell Case—

The following letter appeared in the New Statesman of London on May 25. A similar letter to President Kennedy was signed by Canon Collins, the Bishop of Woolwich, the Bishop of Birmingham, the Rev. Donald Soper and Merwyn Stockwood.

THE ROOCKERY, STANMORE

Morton Sobell is serving a 30-year sentence as a result of an indictment for "conspiracy to commit espionage" returned on Jan. 31, 1951. The trial took place when McCarthyism was at its peak, when accusation was tantamount to conviction. The only witness against Morton Sobell was a self-confessed perjurer who was never indicted. Sobell was not charged with any overt act and to this day declares his innocence.

Many well-known people in the U.S. and in other countries have expressed anxiety about this case, which theologian Dr. Reinhold Niebuhr describes as being "vague in content and slender in proof." Mr. Sobell has already served more than 11 years of his sentence and is in danger of spending another 20 years in jail. The undersigned feel that this should not be allowed to happen and strongly press for clemency and his release.

(Lord) Boyd Orr  
Robert Bolt  
(Lord) Chorley  
Christopher Hollis  
Doris Lessing  
Christopher Logue  
Alan Sillitoe  
Kenneth Tynan  
Arnold Wesker

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# NATIONAL GUARDIAN

the progressive newsweekly

JAMES ARONSON  
Editor

RUSS NIXON  
General Manager

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CEDRIC BELFRAGE  
Editor-in-Chief

JOHN T. McMANUS: (1904-1961)  
General Manager, 1948-1961

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401

June 18, 1962

## REPORT TO READERS

# The unfinished song

JUST BEFORE SUNDOWN on June 19, 1953, Ethel and Julius Rosenberg were put to death in Sing Sing by the government of the United States on conviction of a charge that they had conspired to commit espionage. Two days later, in Wellwood Cemetery on Long Island, as thousands gathered in 100-degree heat in tribute, their bodies were lowered into their graves. W. E. B. Du Bois, at the graveside, made the briefest and perhaps the profoundest declaration. He said: "These people were killed because they would not lie." The lie that the government sought to establish as fact—to justify the Cold War—was a Soviet "international communist conspiracy."

For those who fought for the life of this noble couple, and for whom their fate is still a living agony, it is hard to acknowledge that a new generation is growing up for whom the unfinished song of the Rosenbergs, as a French writer called it, is a hushed backdrop to the Cold War. The young ones might not know, for example, that the FBI raided the apartment of the Rosenbergs on July 21, 1950, not a month after the beginning of hysteria which was a prelude to the horror of Joe McCarthy; that Judge Irving Kaufman credited the Soviet A-bomb to secrets received from the Rosenbergs (a myth demolished by leading American scientists); that prosecuting attorney Irving Saypol went on to reward on the federal bench and his assistant Roy Cohn to his natural place at the elbow of McCarthy; that the U.S. Supreme Court never reviewed the trial itself, never examined the evidence and never considered the propriety of the death sentence; that despite this the Rosenbergs might have been spared if the order had not gone out on the highest level for President Truman's Chief Justice Vinson, a political hack, to convene the full court and countermand a stay of execution ordered by Justice Douglas; that the execution was carried out over the objections of the most distinguished and highly placed persons in the world, including the Pope.

CLIPPING FROM THE

N.Y. National Guardian

EDITION \_\_\_\_\_

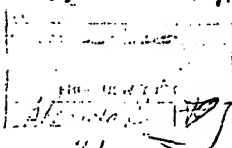
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100-117111 A 58



IN AN ARTICLE PRINTED IN THE GUARDIAN of July 6, 1953,

Jean-Paul Sartre said to those responsible in the U.S.: "The Rosenbergs are dead and life goes on. That is what you wanted, isn't it? Only yesterday we were their comrades and you have killed them as fast as you could so that we should only be their survivors. . . . Please understand this right now: Never shall we hand the leadership of the Western World over to the murderers of the Rosenbergs . . ."

Nine years later, as Morton Sobell serves his 12th year in prison for refusing to admit to a guilt that was not his, for refusing to inform on those who were as innocent as he, Sartre's defiance is assuming a reality which is incontestable: Despite its awesome power, Washington is becoming isolated in the Western World and elsewhere from all except those whose corrupt regimes are maintained by this power. The long, slow development of rebellion against repression, arrogance and blackmail is reaching the bursting point.

What two Presidents with the blood of the Rosenbergs on their hands did not learn, a third President is unwilling to learn. Harry Truman refused to act on the case and left the final decision to Dwight Eisenhower, who sanctioned the murders. Each President in turn fed the awfulness of the Cold War. When President Kennedy took office, there was hope, based on statements by his advisers, that a review of the Sobell case—looking toward a commutation of his 30-year sentence—was possible. Nothing has happened. And the war goes on—colder than ever. . .

IT HAS BEEN THE GUARDIAN'S CONTENTION since the August days in 1951, when this paper for the first time anywhere laid out the whole sordid frameup, that the Rosenberg-Sobell case was a political case, and that vindication would come only when this government conceded the insanity of its course in the last 15 years. Nothing has happened to alter this opinion. By the same token we are convinced that one of the best ways to force this concession is to impress upon the nation the connection between the Sobell case and the Cold War to press for Sobell's release.

Just before they were executed, Ethel and Julius Rosenberg said: "We are young and we do not want to die, but we cannot pay this price for our lives." The price was to lie to live.

Julius and Ethel Rosenberg were Americans, Morton Sobell is still an American—in the finest tradition. This fact provides hope that a monstrous chapter in our history will be closed with the vindication of the Rosenbergs through the freedom of Sobell. Only then will we know that decency and justice have been restored to their proper place in America.

—THE GUARDIAN

On Your Guard:

## Old Lies Pitched at Youth

By JACK LOTTO

**O**LD LIES are being used to trick the new generation.

The occasion for the renewed spreading of falsehoods is the ninth anniversary of the execution of atomic spies Julius and Ethel Rosenberg.

Pro-Communists are using the June 19th anniversary as the springboard for stepped-up pressure to free imprisoned Rosenberg co-conspirator Morton Sobell.

The propaganda-pushers are concentrating their efforts on younger persons because they feel they can do better with them.



LOTTO

The reasoning behind the move on young adults—they were children when the Rosenbergs and other Soviet espionage agents were seized by the government.

The now grown-up youngsters are not too familiar with details of the sensational case, which has been used by the Communists and pro-Communists over the past decade to smear American justice.

Thus, the facts can be twisted more easily to suit pro-Communist propaganda purposes to enlist young men and women in their cause.

All the usual gambits are being used to hook suckers—financially and to get them to write to President Kennedy urging freedom for the "Innocent" Sobell. He is now serving a 30-year prison term.

The Rosenbergs and Sobell are depicted as innocent martyrs and victims of an alleged "sordid frameup."

The crying act even extended to the cemetery in the drive to win sympathizers.

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N.Y. Journal American

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PAGE 11

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A ninth year memorial service was conducted at the Rosenberg graves on Long Island last Sunday.

The National Guardian, described in a 1956 report of the House Un-American Activities Committee as the virtual propaganda arm of the Soviet Union, kicked off the anniversary drive with a full-page editorial. Said the publication—

"Julius and Ethel Rosenberg were Americans. Morton Sobell is still an American—in the finest tradition. This fact provides hope that a monstrous chapter in our history will be closed with the vindication of the Rosenbergs through the freedom of Sobell.

"The young ones might know . . . that the trial was conducted in an atmosphere of hysteria, that the U.S. Supreme Court never reviewed the trial itself, never examined the evidence and never considered the propriety of the death sentence."

The writer, who covered the trial of the Rosenbergs, can attest the above statement is a falsehood. Not once during the trial did the late Emanuel Bloch, chief of the defense lawyers, challenge the conduct of the trial. In fact, Bloch declared in his summation to the jury—

"We feel that the trial has been conducted with the dignity and decorum that befits an American trial."

The Rosenbergs and Sobell received every possible legal protection of their rights. The sentences were upheld seven times by the U.S. Court of Appeals. Seven times it came before the U.S. Supreme Court. Each time, the high court upheld the action of the jury and lower courts.

The Guardian said President Kennedy must be "forced" to free Sobell, to vindicate "this noble couple," the Rosenbergs.



PHILADELPHIA

FROM GREENWICH VILLAGE TO  
QUAKERTOWN HEAR ALEXANDER L.  
CROSBY author of "The Rape of the  
First Amendment," at the Hindins, 6730  
N. 11th St., Sat., June 20, 8:30 p.m. Buf-  
fet supper, entertainment. Cost. \$1.50.  
Ausp: Phila. Sobell Committee.

CLIPPING FROM THE

N.Y. *Post-Opinion*

EDITION \_\_\_\_\_

DATED 6-25-61

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*Sheldon R.*

PHILADELPHIA

FROM GREENWICH VILLAGE TO  
QUAKERTOWN Hear ALEXANDER D.  
ROSEN, author of "The Rape of the  
First Amendment," at the Rindins, 870  
N. 11th St., Sat., June 30, 8:30 p.m. Buf-  
fet supper, entertainment. Cost, \$1.50.  
Ausp: Phila. Bobell Committee.

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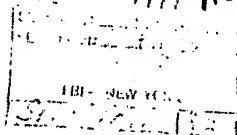
N.Y. National Guardian

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DATED 7/2/52

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## CITY SETTLES SUIT ON SOBELL DINNER

An agreement settling a suit filed against city officials and the Tavern on the Green by persons interested in Morton Sobell, who was convicted of spying, was filed yesterday in Federal Court.

The Committee to Secure Justice for Morton Sobell, which has campaigned for a reduction of his thirty-year sentence, had scheduled a fund-raising dinner at the restaurant in Central Park in 1958. News of the dinner aroused protests and the Tavern on the Green canceled the event.

Thirteen persons, including relatives of Sobell, subsequently sued, naming Robert Moses, then Commissioner of Parks, who recommended canceling the dinner, and the tavern concessionaires. Newbold Morris, the present Commissioner of Parks, was later added as a defendant.

Details of the settlement were not given in the court papers, filed yesterday, and neither counsel for the committee nor the tavern operators could be reached for comment. However, Corporation Counsel Leo A. Larkin declared that the city had made no payment to the plaintiffs as part of the settlement.

Sobell was imprisoned in 1951 for conspiracy to commit espionage. He pleaded not guilty at his trial with Julius and Ethel Rosenberg, who were executed later for their activities in a Soviet spy ring.

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N.Y. Times

EDITION Late City

DATED 7-21-62

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# U.S. Board Denies Sobell Parole, New Clemency Plea Expected

By MILTON VIORST

New York Post Correspondent

Washington, July 23—The Federal Parole Board has turned down the parole application of Morton Sobell, who has served more than 10 years in prison for conspiracy to commit espionage.

The rejection now puts the issue of Sobell's freedom squarely up to President Kennedy and his brother Robert, the Attorney General.

Robert Kennedy, like his predecessor William Rogers, turned down Sobell's appeal for executive clemency on the grounds that the parole board's decision should take precedence.

Attorneys for Sobell, 45, are expected to file a new clemency petition in the near future.

## No Reason Given

The Parole Board declined, under its normal procedure, to explain the reasons for its decision. Sobell's release, according to many observers, would likely stir up the passions that characterized the peak of the McCarthy era a decade ago.

President Kennedy, although he has been a consistent civil liberties supporter during his term of office, has not shown a willingness to become involved in serious civil liberties controversies.

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N.Y. Post

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DATED 7/23/62

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Sobell, who became eligible for parole this week, was sentenced to 30 years in prison after a trial held jointly with Julius and Ethel Rosenberg, both executed in 1953 as atom spies.

Sobell's charge was not related to that of the Rosenbergs. He was not accused of atomic espionage.

#### Claim Sentence Too Harsh

Numerous lawyers have argued that Sobell should not have been tried with the Rosenbergs and, when convicted, should not have received such a harsh sentence. Many have said that the sentence was a product of the McCarthy hysteria.

Mrs. Sobell, who has led the fight for her husband's release, has steadily maintained that he is innocent. She and those who have worked with her now insist that Sobell, even if guilty, has served enough time to expiate the crime.

She has received the support of prominent Protestant and Jewish clergymen, civil libertarians, lawyers and jurists, Congressmen and others.

Sobell, imprisoned in Atlanta Federal Penitentiary, recently became ill and requires surgical care. This illness will be cited in the new clemency petition. His family has pleaded for his release so he can receive private treatment.



**MORTON SOBELL**

*Remains in prison.*

## Sobel Loses Plea for Parole

Associated Press

WASHINGTON, July 24.—  
Morton Sobell, convicted in

1951 of conspiring to commit espionage, has lost a bid for parole. The Justice Department disclosed yesterday the Federal Parole Board had turned down Sobell's appeal late in June.

Sobell, serving a 30-year term, was convicted of conspiring to pass wartime secrets to the Russians. Two co-defendants, Ethel and Julius Rosenberg, were electrocuted for their spying roles.

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N.Y.

*World Telegram*

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DATED

*7/24/62*

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*7/25/62*  
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*7/25/62*  
*Richard*

Sobell Loses Parole Bid  
WASHINGTON July 24  
(AP)—Morton Sobell, convicted in 1951 of conspiring to commit espionage, has lost a bid for parole. The Justice Department disclosed yesterday that the Federal Parole Board had turned down Sobell's appeal late in June. Sobell, serving a thirty-year term, was convicted of conspiring to pass wartime secrets to the Soviet Union. Two co-defendants, Ethel and Julius Rosenberg, were electrocuted for their spying roles.

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N.Y. Times

EDITION \_\_\_\_\_

DATED 7/25/62

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**Settlement in Sobell Suit\*  
Revealed to Be \$1,350**

The Committee to Secure Justice for Morton Sobell has received an out-of-court settlement of \$1,350 from Restaurant Associates, a committee spokesman said yesterday.

The settlement was filed July 20 in Federal court, but the amount was not made public until yesterday. The settlement was for damages claimed against the Tavern on the Green Restaurant and former Commissioner of Parks Robert Moses.

The suit was brought when the tavern, acting on the suggestion of Mr. Moses, refused to allow the committee to hold a dinner there on April 21, 1960, to raise funds for an appeal of Sobell's 30-year prison term for wartime spying. Restaurant Associates has acquired the tavern since the suit was filed.

(Indicate page, name of newspaper, city and state.)

5 NEW YORK TIMES

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Editor: JOHN B. OAKES  
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Character: IS-C  
or  
Classification: BU 100-3876  
Submitting Office: NYO

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# Sobell Release Asked By Bertrand Russell

Washington, Oct. 30 (AP)—British philosopher Bertrand Russell appealed today for the release of Morton Sobell, imprisoned for conspiring to commit espionage, saying he was victim of "a vicious act of injustice."

Pacifist Russell, who last week denounced the U. S. Cuban quarantine as madness, termed Sobell's 30-year sentence as being "in the tradition of judicial murders which has been prevalent at different periods of American history."

Russell's statement, made public by a committee working to secure Sobell's release, was to be presented at a federal parole board hearing today.

Sobell was convicted of conspiring to pass wartime secrets to the Soviet union. Two co-defendants, Julius and Ethel Rosenberg, were convicted for theft of atomic secrets. Sobell was not linked to theft of the actual data.

In replying to Russell's state-

ment against the U.S. last week, President Kennedy told him: "I think your attention might well be directed to the burglars rather than to those who have caught the burglars."

The committee, called the Committee to Secure Justice for Morton Sobell and headed by Sobell's wife and mother—released 26 other letters asking Sobell's release.

Among them were letters identified as written by Nobel prize atomic scientist Harold C. Urey of the University of California; the Rev. John M. Krumm, chaplain, Columbia University; Dr. John C. Bennett, Union Theological Seminary.

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N. Y. Journal  
EDITION International  
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OCT 30 1952	
FBI - NEW YORK	

41

# Sobell Release Asked By Bertrand Russell

Washington, Oct. 30 (AP)—British philosopher Bertrand Russell appealed today for the release of Morton Sobell, imprisoned for conspiring to commit espionage, saying he was victim of "a vicious act of injustice."

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**Bertrand Russell Appeals  
For U.S. Release of Sobell**

WASHINGTON, Oct. 30, (AP)—Bertrand Russell, the British philosopher, appealed today for the release of Morton Sobell, imprisoned for conspiring to commit espionage, saying he was a victim of a vicious act of injustice.

Lord Russell, who last week denounced the United States quarantine of Cuba as madness, said Sobell's 30-year sentence was "in the tradition of judicial murders which has been prevalent in different periods of American history."

His statement was presented at a closed hearing of the Federal Parole Board. It was made public today by a committee working for Sobell's release.

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EDITION 100-107111

DATED 11-1-62

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41

## Can a 'Pleading Film' Free Sobell?

Makers of Documentary Incognito Until Prisoner Sprung — Example of 'Birdman' Not Encouraging

A half-hour 16m documentary has been produced for the sole purpose of persuading the U.S. Parole Board that Morton Sobell, imprisoned 13 years now on a charge of conspiracy to commit espionage, of which he consistently has pleaded innocent.

Film, titled "Morton Sobell, a Plea for Justice," is said to have been made by top people in the documentary field who want to remain anonymous now, but will identify themselves "on the day Morton Sobell walks out of prison." They worked gratis under the banner of Veritan Productions and feature in the picture such persons as Dr. Harold C. Urey, Nobel Prize scientist; law professor Malcolm P. Sharp of the U. of Chicago; old Socialist presidential nominee Norman Thomas and Los Angeles television commentator Lew Erwin.

In addition to presentation before officials, the film is designed for use by art theatres and tv stations. The soundtrack will be made available to radio stations. Also, it's to be sent abroad for dubbing and distribution.

Sobell is now serving a 30-year sentence at the Federal Penitentiary in Atlanta.

This is believed the first time in which a film specifically has been made with the sole thought in mind only of freeing an imprisoned man. "Birdman of Alcatraz," the Burt Lancaster starrer, crusades for release of a prisoner, now 72, with 50 years behind bars but the Federal authorities are ice-cold to its message. The prisoner is ~~Robert~~ Stroud.

N. Y. Verity

EDITION 1

DAT'D 11-2-62

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**On Your Guard:**

## 'Sobell Sobbers' Try Again

By JACK LOTTO

THE "Sobell sobbers" went to bat this weekend for their imprisoned hero, Morton Sobell.

They tried to score a "home run"—freedom for the atomic spy conspirator now serving the 12th year of a 30-year prison sentence.

The heavy hitting of these "sobbers" was directed at a U.S. Parole Board considering parole for the member of the espionage apparatus of executed spies Julius and Ethel Rosenberg.

Prominent personalities slugged for Sobell, who has been the center of a pro-Communist drive for years to blacken America's image around the world.

Among those engaged in the current effort are Lord Bertrand Russell, the left-leaning pacifist British philosopher, and Nobel Prize winner Dr. Harold Urey.

Russell, in his letter to the board, described Sobell, now in Atlanta Penitentiary, as the alleged victim of "a vicious act of injustice."

He asserted—without any foundation for such statement—that Sobell's prison sentence was "in the tradition of judicial murders which has been prevalent at different periods of American history."

Only the week before, Russell was busy denouncing the U.S. quarantine of Cuba as madness and an "unjustifiable action" in a telegram to Soviet Premier Khrushchev. In a telegram to President Kennedy, this "buttsky" declared "your action desperate. No



LOTTO

N.Y. Journal American  
EDITION 7  
DATED 11-10-52  
PAGE 11

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conceivable justification. Civilized man condemns it."

In 1955, Russell declared in a letter widely quoted in the Communist press that the Rosenbergs and Sobell were innocent victims of "hysteria." He accused the FBI of "committing atrocities and using a technique made familiar in other police states such as Nazi Germany's and Stalin's Russia."

Russell is certainly in no position to render judgment in an area where he has no first-hand knowledge. It is contrary to the judgment of those who carefully and objectively reviewed the evidence in American courts.

The convictions and sentences of the Rosenbergs and Sobell were upheld seven times by the U. S. Court of Appeals. It also came before the Supreme Court seven times—something of a record.

In each instance, the courts upheld the jury findings and rejected the longstanding claim of perjured evidence and "frame-up."

Another letter-writer to the Parole Board was Dr. Urey. The House Committee on Un-American Activities wrote in a formal report on the atomic scientist that "Urey has lent invaluable assistance to a wide range of Communist interests in the past." It then went on to list a variety of Communist fronts which he was either affiliated with, sponsored, or supported.

The spark-plug in the drive to free Sobell is his wife, Helen, who is former membership secretary of the Communist Party in Washington, D. C. She operates through an organization called "National Committee to Secure Justice for Morton Sobell." This group has been listed in the Congressional "Guide to Subversive Organizations."

(Mount Clipping in Space Below)

## Sobell's Appeal Rejected Again

The U. S. Court of Appeals rejected Wednesday atomic spy Morton Sobell's fifth appeal to have his conviction vacated or his 30-year sentence vacated. Sobell, who was convicted in 1951 with Julius and Ethel Rosenberg for wartime espionage on behalf of the Soviet Union, is Atlanta federal prison. He was the brother of Ethel Rosenberg, who was executed with her husband.

(Indicate page, name of newspaper, city and state.)

3

NEW YORK STANDARD

Date: 2/7/63

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Author:

Editor: HARRY L. WELKER

Title: THE COMMITTEE TO  
SECURE JUSTICE FOR MORTON  
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Character: IS-C

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Submitting Office: NYO

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## Sobell Plans New Appeal

Attorneys for Morton Sobell announced plans Thursday for an appeal to the Supreme Court of the U. S. Court of Appeal's rejection of his fifth plea to have his conviction vacated or his 30-year sentence reduced.

The three-judge court here ruled on Wednesday that Sobell's Constitutional rights had not been violated in his conviction and sentence. He was convicted with Julius and Ethel Rosenberg, who were later executed, on a charge of conspiracy to commit espionage for the Soviet Union. Now in Atlanta federal prison, Sobell has always maintained his innocence.

Ethel Rosenberg's brother, David Greenglass, pleaded guilty to the spying charges. He was released from prison two years ago.

(Indicate page, name of newspaper, city and state.)

23 NEW YORK STANDARD

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FEB 11 1963

FBI - NEW YORK

41



## Red Allowed to Sue US

WASHINGTON, June 17 (AP).—The Supreme Court decided today, 8 to 0, that Henry Winston, former organizational secretary for the communist party, may sue the U. S. for \$1,000,000 damages.

Winston charges that he suffered total blindness because of negligence in the diagnosis and removal of a brain tumor while he was in the Federal penitentiary at Terre Haute, Ind.

WINSTON WAS convicted in 1949 with other communist leaders of conspiring to teach and advocate violent overthrow of the government.

In other actions, the court again denied a hearing to Morton Sobell, who was convicted as a conspirator with a Soviet spy

ring and has been in prison since 1951. His co-conspirators, Julius and Ethel Rosenberg, were linked to theft of atomic data, and finally executed.

Overturned 5-4, with Chief Justice Warren delivering the majority ruling, the contempt of Congress conviction of Edward Yellin for refusing to testify about communist party activities in the steel industry in the Gary, Ind., area.

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N.Y. June 17, 1954

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DATE June 17, 1954

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**Hearing for Morton Sobell  
Denied by Supreme Court**

WASHINGTON, June 17 (AP) — The Supreme Court denied again today a hearing to Morton Sobell, who was convicted as a conspirator with a Soviet spy ring and has been in prison since 1951.

Sobell was sentenced to 30 years in prison. He pleaded not guilty at his trial in New York and denied any participation in espionage.

Many requests for a Supreme Court hearing have been denied previously.

The conspiracy indictment also named Julius and Ethel Rosenberg. In trial evidence, they were linked to theft of atomic data, were given death sentences and eventually executed.

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FBI - NEW YORK	

41

# Court Nixes Rap in Red Hunt, Chides Probers

By GWEN GIBSON

Washington, June 17 (NEWS Bureau)—The Supreme Court reversed by a 5-4 decision today the contempt conviction of a balky key witness in a probe of Communist Party tactics on the grounds that he was unjustly treated by the House Un-American Activities Committee.

The opinion by Chief Justice Earl Warren held that the committee "failed to obey its own rules" when it questioned Edward Yellin of Gary, Ind., in public session about Communist efforts to infiltrate basic industries.

The court said the committee rules provide that a witness is entitled to an executive session "for the purpose of determining whether a public hearing might 'unjustly injure his reputation.'"

The committee charged that Yellin had been active in Communist rallies while employed by Gary steel companies and that he was "in a position to reveal many things regarding Communist plans to colonize bright young men."

## Sobell Loses Appeal

The opinion upset Yellin's conviction on four counts of contempt. His sentence would have been one year in jail and a \$250 fine.

Justice Byron White wrote the dissenting opinion.

The court also:

1. Turned down a new appeal

by convicted atom spy Merton Sobell for another trial. Sobell has been seeking a review of his conviction and 30-year sentence since 1951 when he was found guilty of spying with Julius and Ethel Rosenberg.

## Winston Can Sue

2. Cleared the way for Communist leader Henry Winston to sue the government for damages. Winston, 54, claims that he lost his sight while in the federal penitentiary at Terre Haute, Ind., because the prison's medical officers incorrectly diagnosed a brain tumor.

3. Ruled that the merger of Philadelphia's second and third largest banks—the Philadelphia National Bank and the Girard Trust-Corn Exchange Bank—violates the antitrust laws. The decision was a major victory for the Justice Department, which has been trying for years to apply the Clayton Act to bank mergers.

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# Rosenberg Rally—10 Years After

Washington, June 15 (UPI)—The date was June 19, 1953. Atomic spies Julius and Ethel Rosenberg were executed in the Sing Sing electric chair for a crime which President Eisenhower had described as worse than murder.

This Wednesday, a decade after the death of the Rosenbergs, some of the people who led the losing fight for Presidential clemency will file into New York City's Carnegie Hall to repeat their cry.

"Doubts as to the guilt of Ethel and Julius Rosenberg have been increasing through the years," Mrs. Morton Sobell, whose husband was convicted of conspiring with the Rosenbergs, said this week.

## Husband Got 30 Years

A sponsor of the Carnegie Hall rally, Mrs. Sobell is chairman of the Committee to Secure Justice for Morton Sobell. "My husband is a completely innocent man," she declared.

Ten years ago a jury felt differently. Sobell was sentenced to 30 years in prison on charges of conspiring with the Rosenbergs to commit espionage. He is now eligible for parole. He has an appeal pending before the U. S. Supreme Court and still is trying to win Presidential clemency.

The downfall of the Rosenbergs began in London, a half a world away from their apartment on New York's East Side. In 1949, Scotland Yard trapped Dr. Klaus Fuchs, a scientist turned atom spy for the Russians. Fuchs implicated, but could not identify by name, a courier who had served him earlier in the United States.

Using this skinny lead, the FBI tracked down a Philadelphia chemist named Harry Gold, who confessed. From Gold, the trail led to Ethel Rosenberg's brother, David Greenglass, an ex-Army sergeant who had worked on the U. S. atom bomb project during World War II.

## Fled to Mexico

Greenglass confessed in June, 1950. Two months later the Rosenbergs were in jail, charged with stealing secrets of the atomic bomb for Russia. With them was Morton Sobell, who had fled to Mexico. He was deported, then arrested by the FBI.

The Rosenberg-Sobell trial got under way in New York March 6, 1951, before a jury of 11 men and one woman. The most damning testimony came from Greenglass, the government's key witness. According to Greenglass, the Rosenbergs told him that Russia was "an ally of the United States and deserved to have the bomb."

Once he agreed to join the Rosenbergs, Greenglass said he drew sketches of bomb parts and passed them to the Rosenbergs, using Gold as a courier.

## Took Stand, Denied Charges

The Rosenbergs went on the stand in their own defense. They denied all the charges. They were not spies, they told the jury. But they invoked the Fifth Amendment when asked about their Communist Party activities.

When the last arguments were heard, the jury brought in the guilty verdict.

The next step was up to Judge Irving Kaufman.

On April 5, 1951, he sentenced the Rosenbergs to death.

For Sobell the punishment was 30 years in prison. For Greenglass 15 years. At an earlier trial, Gold had been given 30 years. Klaus Fuchs was sentenced to 14 years by a British court. Both Greenglass and Fuchs are now free.

Once the verdict was in the legal and propaganda battle to save the Rosenbergs from the chair began in earnest and was to drag on for two years after their conviction.

Five appeals were taken as high as the Supreme Court. But only one produced a really dramatic turn.

On June 17, 1953, two days before the spies were to die, Supreme Court Justice William O. Douglas granted the Rosenbergs a stay on grounds there were "serious doubts" that they could be sentenced to death. But the stay was short-lived. The full court vacated it by a 6-3 vote.

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#### Ike Denies Appeals

As the day for execution drew near, Eisenhower was besieged with appeals for clemency. He turned them all down. On rejecting the last on the day set for the execution, he said:

"By immeasurably increasing the chances of atomic war, the Rosenbergs may have condemned to death tens of millions of innocent people all over the world. The execution of two human beings is a grave matter, but even graver is the thought of the millions whose deaths may be directly attributable to what these spies have done . . . I will not intervene in this matter."

In Sing Sing's Death Row, the Rosenbergs prepared calmly for their fate. The Justice Department offered them a reprieve, if they would confess. They said nothing.

At 8:06 P.M. Julius Rosenberg was pronounced dead. Ten minutes later Ethel was dead.



Henry Winston

## Court: Red Can Sue U. S.

By The Associated Press

WASHINGTON.

The Supreme Court decided yesterday that Henry Winston, former organizational secretary for the Communist party, may sue the United States for \$1 million damages.

Winston claims he is entitled to that amount on the ground he suffered total blindness because of negligence in the diagnosis and removal of a brain tumor while he was serving time in the Federal Penitentiary at Terre Haute, Ind.

Winston was convicted in 1949 with other Communist leaders of conspiring to teach and advocate violent overthrow of the government. He was sentenced to five years' imprisonment and got an extra three years for contempt for hiding when he was to start serving his term in 1951. Eventually his sentence was commuted because of blindness and physical condition.

The U. S. Circuit Court in New York in a 5-4 decision said Winston could sue the government under the Federal Tort Claims Act which permits suits for injuries and losses caused by negligent acts or omission of acts by government employees.

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Yesterday was the last day of the court's 1962-63 term. The tribunal adjourned until October.

The high court overturned the contempt of Congress conviction of Edward Yellin for refusing to testify about Communist party activities in the steel industry in the Gary, Ind. area.

Yellin contended that questions asked by the House Un-American Activities Committee invaded his First Amendment rights.

In another ruling related to Communist activity, the court denied a hearing to Morton Sobell, who was convicted as a conspirator with a Soviet spy ring and has been in prison since 1951.

Sobell was sentenced to 30 years' imprisonment. He pleaded innocent at his trial in New York and denied any participation in espionage.

The conspiracy indictment had also named Julius and Ethel Rosenberg. In trial evidence, they were linked to theft of atomic data, were given death sentences and eventually were executed.

The high court blocked the deportation of Jose Maria Gastelum-Quinones, an ex-Communist, to his native Mexico, saying his party membership may "well have been devoid of any political implications."

In other actions yesterday, the court:

### ***Pupil Placement Appeal Rejected***

Rejected a school board appeal from a ruling which upset the pupil assignment plan of Charlottesville, Va., elementary schools. The plan called for dividing the city into six geographical districts, each having a school. Transfers were then granted to white pupils who requested them so that they would not be in a racial minority.

### ***Sabbatarian Wins Jobless Insurance***

Ruled that South Carolina woman, Adell H. Sherbert, 57, had been improperly denied unemployment insurance. Mrs. Sherbert, who had been employed by a Spartanburg textile mill for 35 years refused to work on Saturdays after she had joined the Seventh Day Adventist Church. She was discharged and denied unemployment compensation. She sued on the ground that the state was interfering with freedom of religion.

### ***Murder Cases Denied Review***

Refused to review the trial of Frank Bisignane, sentenced to execution in New Jersey in the killing of a policeman in Newark. The court also denied a hearing to Manfredo Correa, convicted of murdering a New York grocer during a robbery.

### ***Scarbeck Spy Case Denied Hearing***

Denied a hearing to Irving C. Scarbeck, convicted of passing on secret information to Polish agents while he was Second Secretary of the U. S. Embassy in Warsaw. He was sentenced to 30 years in prison. Scarbeck had a love affair with a Polish girl and was said to have surrendered U. S. secrets in a conspiracy to get the girl out of Poland.

On Your Guard:

## Making Martyrs of Traitors

By JACK LOTTO

THIS WAS "Honor Traitors" week among the pro-Communists and their supporters.

Memorial meetings and public demonstrations were held from coast to coast and overseas to observe the 10th anniversary of the execution of the atomic spies Julius and Ethel Rosenberg.

Activities in New York, Chicago, Los Angeles, San Francisco and in front of the White House were sponsored by a pro-Communist group. Demonstrations were also scheduled for London, Paris, Berlin and Amsterdam.



LOTTO

The June 19th anniversary was used as the springboard to step up pressure and propaganda to win freedom for the Rosenbergs' co-conspirator, Morton Sobell.

He is currently in the Federal Prison Medical Center in Springfield, Mo., where he is in the 13th year of a 30-year prison sentence.

The Rosenbergs and Sobell, year after year, are depicted by the pro-Red apparatus as martyrs and victims of an alleged "frameup." This year is no exception.

The sobbing act even extended to the Long Island, N. Y. cemetery where the Rosenbergs are buried. Back in 1953, when their bodies were being lowered into graves, the Rosenbergs were eulogized by Dr. W. E. B. Du Bois, who said: "These people were killed because they would not lie." Dr. Du Bois is a member of the U. S. Communist Party.

The campaign has continued in this context since that day, with the aim of

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~~blackening the name of America before~~  
the world.

The biggest rally was in Carnegie Hall, where Nobel Prize-winning scientist Dr. Harold Urey was the featured speaker. He has been prominent in the fight to save the Rosenbergs and win freedom for Sobell.

The House Committee on Un-American Activities said in a formal report on the atomic scientist: "Urey has lent invaluable assistance to a wide range of Communist interests in the past."

Star of both the Los Angeles and San Francisco memorial rallies was the Rev. Stephen H. Fritchman, minister of the 1st Unitarian Church of Los Angeles.

On Dec. 7, 1956, Rev. Fritchman was a witness before the House Committee on Un-American Activities. He was asked about Communist Party membership in these words:

"Now, sir, are you now, or have you ever been, a member of a godless conspiracy controlled by a foreign power?"

His reply: "I decline to answer on the grounds of the First and Fifth Amendments."

The Communist Party's publication, "The Worker," published at great length what is normally supposed to be personal, private correspondence from Sobell to his wife, as part of its support of the nationwide demonstrations.

Printing of such personal mail in the Communist press is not surprising. The same thing was done with the alleged Rosenberg letters to their children to win sympathy. Sobell's wife, Helen, was formerly membership secretary of the Communist Party in Washington, D. C., according to Congressional reports.

Biber Joins in Sobell Plea  
JERUSALEM, Israeli Sector  
June 26 (AP) — Dr. Martin  
Biber, the theologian, has  
joined in an appeal to President  
Kennedy for clemency for Mor-  
ton Sobell, convicted of con-  
spiracy to commit espionage in  
1951 and sentenced to 30 years  
in prison.

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Sheldon

### Plea for Sobell

• JERUSALEM — World-famed religious philosopher Dr. Martin Buber joins three other Israeli educators in appeal to

President Kennedy for clemency for convicted Soviet spy Morton Sobell. In joint letter to White House, the quartet notes "Sobell has suffered enough," urge his sentence be commuted to time served.

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NY Journal Tribune

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*[Signature]* PH1

**Paris Expels Spy's Wife**

Paris, July 17 (UPI)—Mrs. Morton Sobell, whose husband was sentenced to 30 years in prison in the U. S. for spying for Russia, was expelled from France July 7, police said today.

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NY Times

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FBI - NEW YORK	

*Shaw*

**Vote for INNOCENCE**

**N.Y. Citizens' Full Pardon for Morton Sobell Program**

**"I Believe Morton Sobell Innocent"**  
*Prof. Fred Rodell* Barrows Dunham  
 Yale Law School Author

Acceptance of N.Y. Citizens' Full Pardon to Morton Sobell by:  
 Rose Sobell, mother Mrs. Morton Sobell

**COOPER UNION • Great Hall**  
 Astor Place, New York City

**THURSDAY APRIL 23 • 8 to 10:30 P.M.**

Admission by one FULL PARDON PETITION with six signatures, or Contribution of \$1

**SOBELL COMMITTEE**  
 940 Broadway • N.Y., N.Y. 10010 • AL 4-9983

For full facts on Sobell case please write or phone

With:  
 Dr. Harold C. Urey  
 Martin Luther  
 Pablo Casals  
 Bertrand Russell  
 Linus Pauling

*"The Answer"*  
*undesignated*  
*newspaper*  
*copy 11/7/64*  
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**Reforming Our Bail System**

TO THE EDITOR:

Your May 30 editorial pointing out the inherent difficulties of bail was very much to the point. Whatever arguments can be mustered in support of current practice cannot be applied to the refusal to credit convicted persons with time served in lieu of bail. This unfair practice should immediately be discontinued, not left to individual discretion.

H. SOBELL

New York, May 31, 1964.

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NY Times

EDITION Late City

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Shut... NY

**Sobell is transferred  
to Lewisburg prison**

MORTON SOBELL, who continues to appeal for release on the basis of innocence of the conspiracy to commit espionage charge on which he was condemned to 30 years in prison, has been transferred to Lewisburg Federal Penitentiary from the Prison Medical Center in Springfield, Mo.

Sobell, now in his 15th year of imprisonment as a result of the Rosenberg-Sobell trial in 1951, was at the Springfield Medical Center for about a year and a half. He had been transferred there from the Federal Penitentiary at Atlanta, Ga., because of poor health. Previously he had been incarcerated in Alcatraz for more than five years.

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NY Washington Post

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In Memory of

**MORRIS BROWDA**

Los Angeles  
Sobell Committee

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NY 7-11-1955

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# MORTON SOBELL IS INNOCENT PRESIDENT JOHNSON and must be FREED

SAY

HAROLD C. UREY • BERTRAND RUSSELL • MARTIN BUBER  
and thousands of others

In the Korean War Year of 1951, during the period of McCarthyism, Morton Sobell and Ethel and Julius Rosenberg pleaded innocent to a charge of conspiracy to commit espionage. Morton Sobell was not included in the accusation of atomic conspiracy which resulted in the unprecedented execution of the Rosenbergs. The case against him rested upon the unsupported testimony of one witness, a confessed perjurer. The trial record shows no specific item of information supposed to have been secured or transmitted by Sobell. The testimony against him has been called "vague in content and slender in proof" by Reinhold Niebuhr, Edmond Cahn, John C. Bennett, Daniel Day Williams, Paul Ramsey, Jerome Nathanson and Gerhard O. W. Mueller in a study made in 1959 which asked for commutation of sentence, without judging Sobell's guilt or innocence.

Among those who have asked for Morton Sobell's freedom on many grounds are eminent scientists, educators, clergymen, jurists, legislators . . . and EIGHT NOBEL LAUREATES.

President Johnson, as you start your first full term  
of office, ACT ON THIS PETITION!

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NY Times

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## CITIZENS' FULL PARDON FOR MORTON SOBELL

In the national effort to end the atmosphere of immorality and malice that concerns us all, we must come to grips with the festering case of Morton Sobell.

"I am innocent," Morton Sobell has cried out through more than 14 years of imprisonment. We believe him. Some of the most eminent persons in the United States and abroad have found the evidence barren, questioned the fairness of the trial, and voiced shock at the extreme cruelty of the 30-year sentence.

As responsible citizens, in whose name Morton Sobell's imprisonment continues, we cannot be associated with such a denial of justice to a man and his family, and to our nation's ideals. We wish to join in granting on behalf of the public conscience a CITIZENS' FULL PARDON to Morton Sobell.

We respectfully call upon the President of the United States to make this an official act of the United States Government.

These respected names are among the thousands who have signed. Join them!

(Affiliations for identification only)

Dr. Milnor Alexander; Leg. Secy. WILPF, Washington, D.C.  
Warren K. Billings, Mooney-Billings case, San Francisco  
Prof. G. Murray Branch, I.T.C., Atlanta, Ga.  
Rabbi Balfour Brickner, Union Amer. Heb. Cong., N.Y.C.  
A. Burns Chalmers, Dir. Davis House, Wash., D.C.  
Rev. D. G. Colwell, Pres., Council of Churches, Wash., D.C.  
Harold A. Crane, former counsel, U.A.W., Michigan  
Leon J. Davis, Local 1199 AFL-CIO, New York City  
Rev. George H. Dunne, S.J., Washington, D. C.  
Rev. Dr. Erwin A. Gaede, 1st Unitarian, Ann Arbor, Mich.  
Maxwell Gelsmar, author, New York  
Dr. Luigi Gorini, Harvard Medical School, Mass.  
Dr. Mahlon B. Hoagland, Harvard Medical School, Mass.  
Dean Donald E. J. MacNamara, criminologist, New York  
Daniel Marshall, attorney, Los Angeles  
Dorothy Marshall, Past Pres. Catholic Women's Club of L.A.  
Judge Stanley Moffatt, L. A. Municipal Court, Ret.  
Reinhold Niebuhr, theologian, New York City  
Dr. Linus Pauling, Nobel Scientist, Cal.  
Henry Roth, author, Augusta, Maine  
Pete Seeger, folk musician, New York  
Prof. Malcolm Sharp, University of Chicago Law School  
Raphael Soyer, artist, New York City  
Rabbi Jacob J. Weinstein, KAM Temple, Chicago  
Prof. Francis D. Wormuth, University of Utah

YOUR NAME

OCCUPATION  
OR AFFILIATION.....

Please send this petition to:  
Sobell Committee, 150 5th Ave., New York, N. Y. 100  
Helen Sobell and Rose Sobell, Co-chairmen

- ☐ Please send me more information
- ☐ I am writing to President Johnson asking that he free Morton Sobell
- ☐ Enclosed is my contribution of \$\_\_\_\_\_ for placing this ad in  
Washington and for supporting the legal and public campaign.

## **SOBELL TO ASK U.S. TO COMMUTE TERM**

A new clemency petition by Morton Sobell, now nearly half through a 30-year prison sentence for a spy conspiracy, has led the Department of Justice to send forms for a bid to commute the sentence to his lawyer, William M. Kunstler. Mr. Kunstler said he was surprised by the procedure, but would file the new forms.

Mrs. Helen Sobell, his wife, said yesterday that a letter from Reed Cozart, pardon attorney for the department, added that a completed petition would go to the United States Attorney and sentencing judge for their views. She said that in the past the Government had offered only a clemency petition.

In the petition dated March 31, Mrs. Sobell said, her husband again insisted "upon my absolute innocence." But he based the application on pleas that his sentence had been excessive as a "product of the 'cold war'" and his adjustment had been "exemplary."

Sobell asked for consideration of "psychological punishment" added by his having been isolated at Alcatraz for more than a third of the nearly 15 years he has spent in prison.

A former engineer, he said the business manager of prison industries at Atlanta Penitentiary could verify his "contributions" to that institution. He said his wife and children "eagerly await me" and "I have studied so that I would not find myself obsolete." At present he is in the Lewisburg Penitentiary in Pennsylvania.

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NY NEW YORK TIMES

EDITION NEW YORK

DATE 4-1-56

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## Rosenberg Spy Trial Unfair, Say Visitors

The co-author of a new book on the Rosenberg spy trial of the 1950's charged yesterday that the Rosenbergs and Morton Sobell were convicted on perjured testimony and forged evidence.

Walter Schneir, here on behalf of the Committee to Secure Justice for Morton Sobell, said he believed Sobell, who is in prison, and Julius and Ethel Rosenberg, who were executed, were denied a fair trial.

Schneir said an investigation by himself and his wife had convinced him that the



WALTER SCHNEIR

MRS. SOBELL

government had used perjury and forged and suppressed evidence.

THE SOBELL committee will renew efforts in New York to gain freedom for Sobell. He was convicted as a conspirator with the Rosenbergs and is serving a 30-year sentence in the atomic-spy case.

Much of the appeal will be based on the Schneirs' book, "Invitation to an Inquiry."

Schneir spoke today at the University of Washington and the University Unitarian Church. He said a hotel-reg-

istration card used by the government to link the Rosenbergs and Sobell to Harry Gold, a government witness, had been forged.

Schneir said Gold had perjured himself in the trial and that the government had suppressed the fact that a "Soviet spy" referred to during the trial had never existed.

SCHNEIR SAID an investigation should be conducted.

He speculated that the case had been manufactured to support an announcement of a spy arrest.

"The government got out on a limb and had to do something," he said.

Schneir appeared here with Mrs. Sobell.

"We will spend the rest of our lives, if necessary, to vindicate him as a truly innocent man," Mrs. Sobell said.

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## A-Spy Sobell In N.Y. to Bid For New Trial

Morton Sobell, convicted of conspiracy in the 1951 atomic espionage trial that sent Julius and Ethel Rosenberg to the electric chair, has been brought back to New York to confer with his lawyers in a bid for a new trial, it was revealed last night.

He arrived at the Federal House of Detention, 427 West St.,



Morton Sobell  
Serving 30-year term

on Friday from the federal penitentiary at Lewisburg, Pa., where he is serving a 30-year sentence.

### Visits by Family

His wife, Helen, his son, Mark, 17, and his mother, Mrs. Rose Sobell, visited him Saturday and again yesterday.

His wife said he will be allowed to consult with lawyers at the jail tomorrow and Wednesday, as ordered by a federal judge on May 20.

His attorneys will study the testimony of David Greenglass, the brother of Mrs. Rosenberg, and a member of the spy ring who turned prosecution's witness.

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JUN 6 1956  
FBI - NEW YORK

**Morton Sobell Brought Here  
On Evidence in Spy Trial**

Morton Sobell, serving a 30-year sentence for conspiracy to commit wartime espionage, has been brought here for conferences with his lawyers, and possibly scientists, on impounded evidence recently furnished to his defense.

Sobell, who was driven from the Federal penitentiary in Lewisburg, Pa., to the Federal House of Detention at 427 West Street, on Friday, met with lawyers on Saturday and with his wife, Helen, on Saturday and yesterday, according to William A. Kunstler, his chief attorney.

Mr. Kunstler is scheduled to meet with Sobell today, to-

morrow and Wednesday. He declined to identify the scientists who he said might attend the meetings on the secret evidence from Sobell's 1951 trial, including a cross section sketch of the original atom bomb.

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## Sobell Loses Freedom Bid, Seeks Bail

Morton Sobell, convicted 16 years ago of conspiracy to commit espionage, lost another bid for freedom yesterday. Federal Judge Edward Weinfeld denied a series of motions to set aside Sobell's conviction.

Sobell also entered a petition asking that he be granted bail. Weinfeld scheduled a hearing for Monday.

Yesterday's decision was the latest in a long series of court challenges of the March, 1951,

jury conviction which resulted in Sobell's being sentenced to 30 years for plotting with Julius and Ethel Rosenberg to pass atomic secrets to the Soviet Union. The Rosenbergs died in the electric chair.

Observing that he had read the

entire trial transcript, post-trial petitions and a appeals record, Weinfeld ruled that Sobell failed to prove various charges against the government, witnesses and procedures.

Alluding to a dispute over a sketch of the atom bomb, Weinfeld said this was only one aspect of the government's evidence.

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— Daily News

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MORTON SOBELL  
80th Birthday Meeting  
April 11, 1957 7-10 p.m.  
Hunter College Assembly Hall. Auspices:  
Committee to Free Morton Sobell,  
150 Fifth Ave. Tel.: 343-6030

(Indicate page, name of newspaper, city and state.)

1 National  
Herald Tribune

Date: 7-1-57

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